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DOCTORAL THESIS

Spinning the web :the influence of the internet on the reporting of crime and criminal justice in traditional media

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Award date:
2009

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**Spinning the Web: The influence of the Internet on the
reporting of crime and criminal justice in traditional
media**

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**A thesis submitted in fulfilment of the requirements for the
degree of Doctor of Philosophy**

**Journalism Discipline
Faculty of Humanities and Social Sciences
Bond University**

July 2009

ABSTRACT

This thesis investigates the influence of the Internet on the reporting of crime and criminal justice in traditional media, focusing on the hitherto unexplored nexus of media, crime and the Internet. The Internet as a medium acknowledges no boundaries or geographical barriers and the implications of such globally unrestricted access are far wider than the mainstream consideration of several legal and ethical ramifications that accompany reportage on an international scale. This research represents a triangulated study, based on results obtained from an analysis of Internet crime sites, a process of elite interviewing of practising journalists and academics and demonstration case studies of three high-profile crimes.

This research suggests the Internet audience wants shorter, more concise crime stories at first point of access, focusing on the main or more sensational aspects, with further background and detail available through links to the requisite multi-media facilities. These multi-media facilities often offer far more graphic detail and specificity than is available in mainstream media, particularly when the latter, constrained by such restrictions as deadlines and space, are compelled to dispense with superfluous detail, with no reader access to further information. In addition, the media theories of agenda-setting and framing undergo a noticeable transition when applied to online reporting.

Crime reports on the Internet now complement the text of their narrative with audio and visual detail, bringing the audience ever closer to the scene of the crime and, in many instances, to the perpetrator and victim, again raising ethical issues and reopening the argument of the public's right to know versus the individual's desire for privacy.

In addition, the speed of transmitting information and the ability to update it almost instantaneously must give the Internet a competitive edge in the media focus on attracting an audience and meeting its needs. Yet, despite the widely held consensus that the Internet is free from control, this coverage encounters some degree of gate-keeping.

Exploration of available literature has complemented the study, which demonstrates conclusively the influence of the Internet on such journalistic elements as news values, legal and ethical issues, framing and agenda-setting in crime reporting in traditional media.

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Statement of original authorship

The work contained in this thesis has not been submitted previously for a degree or diploma at any other higher education institution. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due reference is made.

Signed:.....

Date:.....

ACKNOWLEDGEMENTS

Like Topsy, this thesis just “grewed and grewed”, guided at all times by the wisdom and advice of my supervisor, Mark Pearson. His support and encouragement were essential to this project, which would not have reached fruition without him. Thank you, Mark.

I was also blessed with the good fortune to have access to a second supervisor, Paul Wilson, who really cared and who was generous with his time, knowledge and insight.

My gratitude goes, too, to those who helped with aspects such as graphics, references and proofing, in particular Jill Borchard, Adam Southerland, Richard Phillips and library supremo Brian Boniwell.

My daughter, Laura-Leigh, has an unwavering faith in her mother’s ability to achieve anything and this faith sustained me, emotionally and practically, through many uncertain moments.

The J-team at Bond were instrumental in seeing me through to the finish with encouragement and a good dose of humour: Roger Patching, Mike Grenby, Molly Blair and Naomi Busst.

Similarly, thanks are due to those members of staff and students who offered assistance, opinion and, above all, friendship.

My early Australian mentor, Des Guilfoyle, was convinced I could make the transition to academia and I hope this gives him reason to believe he was right.

CHAPTER 1 INTRODUCTION

1.0 Introduction

The arrival of the Internet heralded a number of significant changes for journalism, bringing with it a continually-developing range of new technologies. Not only did it open the door to exciting new possibilities in reporting techniques and coverage, but it also exposed practitioners to all the new legal and ethical ramifications that accompanied reportage on a global scale. Branching out into the supply of online news was not simply a matter of developing a web page and adding stories to it. It entailed consideration of more than just the content and the normal ethics of journalism and, although this reasoning applied to every field of reporting, it was felt particularly in the area of crime and justice, already restricted by legal and ethical parameters. Much research existed relating to the relationship between media and crime. This study looked further, in seeking to establish the three-way nexus between media, crime and the Internet. In doing so, it addressed one major and one preliminary question:

Major research question: In what ways has the Internet influenced the reporting of crime and justice in the traditional media?

Preliminary research question: How is crime reported on the Internet?

These were, indeed, different questions, with the first examining how online reporting of crime and criminal justice had influenced not only the crime news production cycle, but also the reporting routines of practising journalists and editors; and the second identifying through major search engines the different ways in which crime was classified and represented on the Internet.

For the purpose of this research, the Internet was defined as: "... the world-wide network of interconnected computer networks (e.g., commercial, academic and government) that operates using a standardised set of communications protocols called TCP/IP (transmission control protocol/Internet protocol) or *the Internet protocol suite*" ("Internet Definition", 2005). This paper precluded social networking sites such as Facebook and MySpace, except

where mentioned specifically in a direct quote. Crime was defined as: “An act punishable by law, usually considered an evil act” (Miller, Fellbaum, & Tengi, 2006). However, examples monitored and analysed veered towards the reportage of violent and/or sensational crime. This was because it was strongly evident from the literature review of this study that such crime was considered most newsworthy (Ericson, Baranek & Chan, 1991; Grabosky & Wilson, 1989; Surette, 1998b) and consequently was likely to generate most data and offer greater opportunities for research purposes. It was also the type of crime most frequently covered on the Internet and thus likely to provide the most appropriate data for this study.

1.1 Overview

The 39 years since the Defence Department’s Advanced Projects Research Agency in the United States developed the computer system ARPANET (Bainbridge, Goc, & Tynan, 2008) had witnessed a hunger for news of crime. The saying, “If it bleeds, it leads,” generally believed to have been coined by Lord Northcliffe, but just as often attributed to other journalists and personalities, had never been more applicable; to this day audiences in every sector of the media still express an appetite for crime news. The high incidence of police stories on television channels, radio stations and in print (Ericson et al., 1991; Grabosky & Wilson, 1989; Surette, 1998) substantiated the public interest in crime news and it was borne out in Australia by the large number of police stories on commercial television news and the presence of four crime programmes in the first eight of the top 50 television programmes (*The Australian*, 2004). Furthermore, in the United States, in the last decade of the 20th century, major television networks “devoted more coverage to crime than any other topic on their nightly national newscasts. On local television news, crime consumes 30 percent of news time” (Beckett & Sasson, 2004).

Therefore, this study examined this important factor in the context of the Internet, finding its profound effect on traditional media and the way in which they reported their news was due in no small measure to the way in which audiences received and reacted to information they gleaned from new media. The different needs of traditional and online media are discussed elsewhere in this study, but they are an essential element in the presentation of articles in both sectors. For instance, Keck (2002) said people were more inclined to “scan” the Internet than to peruse it in detail, as they would a newspaper. They also read more

slowly online, a practice which called for shorter and more concise stories. This seemed to contradict one of the major advantages offered by the Internet, namely its ability to carry stories of almost unlimited length. Perhaps the most important difference, according to Keck, was that the web page must offer multi-media facilities if it hoped to keep the attention of its readers.

This thesis builds upon this premise and suggests that applying the consequences of this behaviour in the context of crime reporting would indicate that Internet readers want shorter, more concise crime stories, focusing on the main or more sensational aspects, with important points available at first point of access and accompanied by the requisite multi-media facilities. Therefore, the link between media and crime becomes even stronger, compelling journalists and editors to ‘get to the point’ quickly and dispense with irrelevant detail.

At the same time, whereas the reporting custom of each arm of the media has traditionally been defined by its practical restraints, the Internet has opened the door to the removal of those restraints. Thus, newspapers, radio and television stations all now enjoy similar access to the Internet, with correspondingly similar channels through which to report their stories. Traditional differences between the media, as well as their traditionally comparative strengths and weaknesses, have largely been lost in the fusion created by the levelling denominator – the web page. As will be seen in Chapter 6 of this thesis, crime reports on the web now complement the text of their narrative with audio and visual detail, bringing the audience ever closer to the scene of the crime and, in many instances, the perpetrator and victim.

This loss of media identity has nevertheless left in its wake advantages for traditional media. Newspaper publishers, for instance, so long confined to flat two-dimensional graphics and limited text, were now exploring the almost unlimited three-dimensional effects of their associated web pages. Where copy was limited by column centimetres, it was now virtually endless: new pages could be created at will. However, as already explained, this was a policy to be pursued with caution. Internet readers are impatient; they will not read column after column of text; they prefer shorter text, simple layouts and will keep attention on the screen for about ten seconds (Harrison, 2008). Hyperlinks add to the credibility of the page and

“Users don’t like to scroll through masses of text, so the most important information should be put first” (Harrison, 2008, para. 31). In the context of crime stories online, Internet readers want to click their way straight through to links with the detail they are seeking; hence, the shorter, visually enhanced crime reports on the Internet, with most detail now provided in this form of optional access, instead of in the body of the main story.

These facts led to speculation about how the Internet had influenced and was likely still to influence the reportage of crime. Did the inclusion of multimedia facilities signal the complete coverage of murder trials, from most of which television cameras were presently excluded (Surette, 1998)? Were we likely to see a suspect being arrested and hear the preliminary questioning? We have already been able to visit the scene of the crime with members of the jury and listen to discussion about their deliberations (Ritter, 2004), but might the camera be permitted into the jury room itself and give the public first-hand access to those deliberations? Would crime reconstruction and simulation become even more common and perhaps less responsible practices than they are today, not only online but also in the tabloid press and television documentaries? Far-fetched and unwelcome as some of these ideas might seem today, particularly to a generally conservative legal fraternity, it bodes well to remember that the multi-media facilities of the Internet itself were just as far-fetched before their inception.

While this study could not wander into the realms of speculation for its conclusions, the hypothesis was instrumental in driving the research process and the data this study produces will be of benefit to those engaged in further research. The relevance of this development to the reporting of crime and criminal justice will be explored in the course of this study, as will some of the similar changes being experienced in radio and television reporting.

Radio stations, for so long dependent only on sound – but enjoying the advantages of portability and immediacy – now enhance that sound online with accompanying text and moving pictures. At the same time, radio on the web is losing what has been regarded as its greatest asset: portability. Radio broadcasts, perhaps more than television or print publications, now have to address two separate audiences, those who are limited to listening in the conventional sense and those who can access the Internet. The consequent results on

the reporting of crime and justice will be explored in this literature review and in the discussion that ensues.

On the other hand, television faces virtually no changes in appearance in its new home on the Internet, but innumerable changes in its method of reporting and presenting stories. Foremost among these is the need for immediacy; long credited with reserving its main items of interest for its prime-time bulletins, television now has to vie for its 'scoops' with all other media outlets on the Internet. Gone are the hours spent editing and scripting in preparation for one major news bulletin in traditional media; television viewers on the Internet expect every site they access to be as up to date as its competitors. Although television online will not be included as a separate research subject in this study, it is necessary for purposes of comparison to examine its role in traditional media.

While this indicates the significance of currency as a factor the Internet has forced the media to address, it is only one of many. Others include profitability and legal considerations, such as defamation and contempt. Always issues with reporting, they are now even more obfuscated by the uncertainty of jurisdiction. The 'www' prefix on a website address represents 'world wide web' and it is this world wide aspect that presents the media with one of their greatest challenges: when they are reaching the world, in whose jurisdiction are they operating? The question of the extent to which news reporting can be subject to legal protection (Rowland, 2003) becomes even more complicated when asked in the context of the Internet. The advantages of greater audience reach run parallel with the greater likelihood of litigation (Wolf, 2003).

No hard and fast resolution has been reached yet and the issue is still being debated; Internet defamation cases have already been tried, won and lost. Still, the area is clouded with uncertainty. Wolf (2003) examined the topic in the context of the United States and found that each state had its own "minimum threshold criteria for establishing jurisdiction in the physical world". This principle is compounded when translated into international terms and the Internet is without doubt the most international of all media.

This debate, together with other related matters raised by the advent of the Internet will be the subject of investigation in this thesis. This work will discuss the methodology, with its theoretical underpinning provided by the principal works in the Literature Review, *Representing Order: Crime, law and justice in the news media* (Ericson et al., 1991) and *How Crime is Reported* (Grabosky & Wilson, 1989). Mostly sociological in approach, the former nevertheless serves to create an appropriate forum for analysis, comparison and contrast. The latter is a qualitative study of how crime news is reported, based on interviews with Australian journalists, editors and publishers. This research will also examine the influence of media-framing (Rhoads, 1997; Zillmann, Chen, Knobloch, & Callison, 2004; Harrington 1998), particularly as it applies to the Internet reportage of crime and justice. This important theoretical backbone of traditional journalism is seen from a different perspective in online reporting and assumes a significance not mentioned to any great extent in existing literature.

1.2 Aims

The aims of this study were to explore the differences between the reporting of crime and justice on the Internet and in the traditional media; and to identify the ways in which the Internet had been responsible for influencing the reporting of crime and justice in the traditional media. To establish these findings, the study sought the views of a number of selected crime reporters and editors. At the conclusion of the paper, three case studies will be presented, demonstrating the interaction between the two sectors of the media.

1.3 Objectives

The following objectives drove this study:

- The presentation of the answer to the preliminary research question: How is crime reported on the Internet? This needed to be established before the major research question could be addressed.
- The addressing of the research questions and related issues through processes of qualitative methodology.

- The identification of certain differences in reporting between the various sectors of the media and the reasons for those differences.
- The selection of certain key variables relating to these differences and which formed the basis for a process of elite interviewing with selected editors and crime reporters.
- The conducting of a pilot study with a small number of respondents, who explained the ways in which the Internet had influenced their reporting and presentation of crime and criminal justice.
- The drawing of conclusions about the influence of the Internet on the reporting of crime and justice. This understanding is important from both a journalism and criminology perspective.
- The demonstration, through three selected case studies, of the close interactivity between traditional and online media.

1.5 Relevance

This study will complement and add to existing research on many aspects of online and traditional journalism. It will also provide a basis for further study in the specific field of crime and justice reporting and illuminate areas where media-framing is brought about by the demands of the media and perhaps tailored by the consumer. Where it will attain most relevance is in its findings relating to the nexus of the media, crime and the Internet, as this specific dynamic is presently inadequately researched, with few findings upon which to draw for comparison.

Framing is the process by which journalists select or omit information from a story in order to influence its interpretation by the audience. An extension of the agenda-setting theory of McCombs and Shaw (1972), it elicited the comment from Entman (1993, cited in Rhoads, 1997, para. 7): “Journalists may follow the rules for objective reporting and yet convey a dominant framing of the news that prevents most audience members from making a balanced assessment of a situation”. Harrington (1998) confirmed:

- Frames exist, and
- The media use many types of selectivity when choosing what is news, and how the audience will receive this news.

What this thesis was particularly concerned with was whether reporting on the Internet was more guilty or less than traditional media of framing and whether framing was as effective on the Internet as it was in traditional media. A finding relating to this point is included in Chapter 6 of this thesis.

CHAPTER 2 LITERATURE REVIEW

This review investigates and critiques the literature relating to the major research question of this thesis and the ways in which the Internet has influenced the reporting of crime and criminal justice in traditional media. In so doing, it takes into account related literature applying to certain fundamental components of journalism, deemed to be important to this study.

2.0 Overview

The aim of this literature review is to assess and analyse the research to date related to the major and preliminary research questions stated again below:

Major research question: In what ways has the Internet influenced the reporting of crime and criminal justice in traditional media?

Preliminary research question: How are crime and criminal justice reported on the Internet?

As the field is a relatively new one, a paucity of available literature addresses the topic directly. However, many studies attest to the link between media and criminology and these will be explored as the impact of the Internet is assessed. To determine the specific impact of the Internet on the reporting of crime and criminal justice, this study will first examine the literature relating to the field before the advent of the Internet. Then, it will examine the Internet itself and its relationship to the reporting of crime and criminal justice.

For its basis of theoretical comparison, this study will turn to the schema of the seminal work related to the early reporting of crime and justice: *Representing Order: Crime, Law, and Justice in the News Media* (Ericson et al., 1991). It will also build on the theory of other scholars, such as the criminologists Grabosky and Wilson (1989) : *Journalism and Justice: How Crime is Reported* and Masterton (1998): *A Theory of news*. The information gathered will address the research questions defined above.

In addressing the primary question, this literature review will focus on the following six topics:

- Why the media report crime and justice. (Relevant to both research questions, as the reason for the reporting of crime has a direct bearing on the manner in which it is reported.)
- Traditional qualities of the news media. (These have changed significantly since the arrival of the Internet, with current reporting influenced directly by the nature of this change.)
- Ethical and legal issues. (The implications of these are becoming increasingly more significant in reporting on the Internet.)
- Traditional reporting issues. (These must be identified before attempting to gauge how they are affected by the presence of the Internet.)
- Impact of the Internet on journalism. (This is perhaps the area of greatest import in answering the major research question of this study.)
- The Internet and the reporting of crime and criminal justice. (This has special significance, as certain developments made possible by the Internet have a direct bearing on crime reporting.)

Certain of these categories are closely linked and not easy to separate, with some of their inclusions meriting their own mention later in this thesis.

2.1 Why the media report crime and criminal justice

To establish the reasons the media report crime and criminal justice, it becomes necessary to examine the news media's role as the public's primary source of information. This can be traced back to the 19th century, when the press assumed their responsibility as "watchdogs ... of all those in positions of power" (Bainbridge, Goc, & Tynan, 2008, p. 38), safeguarding the interests of the public. That said, social responsibility remains one of the primary reasons for crime reporting. In addition, Ericson et al. (1991, p. 74) stated:

News of crime, law, and justice represents order through constituting an active discourse about the ordering activities of the people and organisations

reported on ... As such, the news media are as much an agency of policing as the law-enforcement agencies whose activities and classifications are reported on.

Barak (1994, p. 4) wrote about people's different perceptions of crime and criminal justice and concluded: "The mass communication of these perceptions construct a cultural awareness of crime, of victim/offender encounters, and of the administration of justice."

Despite these noble conclusions, it must be acknowledged that other practical considerations apply, notably the need to be financially viable and show an organisational profit. Crime reporting is an excellent way of accomplishing this, as the information is easily available at little cost. It is "convenient to discover and it helps sell newspapers" (Sherizen, 1978; Chibnall, 1977; Grabosky & Wilson, 1989, cited in Chermak, 1994, p. 97). Often, leads are provided to the media by police liaison personnel with no costs being incurred at the time the crime is reported. In addition, Surette (1998, p. 62) identified the advantages of pre-packaging, popularity and help in the "routinization task". He continued: "And, because crime news tends to come largely from information supplied by the police, it can be gathered at little cost to the organization" (1998, p. 62). However, apart from the business advantages of carrying crime news, most organisations acknowledge the role crime reporting plays in their traditional obligation towards social responsibility as members of the Fourth Estate.

2.1.1 Social Responsibility and crime reportage

"Burke said that there were three Estates in Parliament, but in the Reporters Gallery yonder, there sat a fourth Estate more important far than they all." (Thos. Carlyle: *Heros and Hero Worship in History*, 1841). The three Estates referred to were the Lords Temporal, the Lords Spiritual and the House of Commons. The power of the Fourth Estate, the Press, lay in its role as watchdog over the other three.

Yet this was not the first time the press had been described as the Fourth Estate. Henry Fielding, in the Covent Garden Journal of 1752, wrote: "None of our political writers ... take

notice of any more than three estates, namely, Kings, Lords, and Commons, passing by in silence that very large and powerful body which form the fourth estate in this community...The Mob” (Webber & Feinsilber, 1999, p. 208). It was not so much the Fourth Estate quality of the press as its powerful dissemination potential that was recognised in Australia in 1803, when the *Sydney Gazette* came into being, “largely to promulgate government orders and decrees” (Lloyd, 2002, p. 6). Although governmental control ceased to a large extent in later years, the editors of the ‘free’ press continued to play their watchdog role, as do many investigative journalists today. Nor is the idea totally divorced from new media. Hutchins (2007, p. 207), in his case study on the independent online news site the *Tasmanian Times*, described how Tuffin, the editor of the site, attempted to use the Internet to “reinvigorate” the philosophy of the Fourth Estate.

Furthermore, (Lloyd, 2002, p. 8) described social accountability as “invaluable in keeping perspective and proportion in news organization, practice and content”; in more modern times, the media, while no longer universally regarded as the keepers of the public’s morals, still play a powerful role. Researchers tend to agree that the media’s function of keeping the public informed is a crucial one, serving also to protect (Barak, 1994; Ericson et al., 1991c; Grabosky & Wilson, 1989). It is, according to Grabosky and Wilson (1989, p.11) “one essential requisite of a democratic society”. It is also necessary for justice to be seen to be done “in order to maintain public confidence in the administration of justice” (Johnston, 1998, p. 104).

Yet, in the context of crime and criminal justice, this determination to keep the public informed is dialectically at odds with the notion of privacy. When crimes are reported, particularly those of a sensational nature, the media adopt the principle of the public’s right to know, sometimes at odds with the individual citizen’s desire for privacy. In fact, some would argue that part of the social responsibility of the media is to avoid unnecessary intrusion into people’s privacy and this aspect will be explored at greater length in Section 2.3.2 of this literature review. Yet, valid reasons can be put forward for invading this privacy: Hurst & White (1994) referred to the public support that results from publicising the

plight of victims, as well as the media's contribution to eliciting information and tracing otherwise elusive suspects.

On the other hand, common in the work of most researchers in the field is the concession that journalists are often 'manipulative' in their dealings with victims and their friends and relatives, exploiting their grief in the interests of newsworthiness and the urgency to be first to file the story (Grabosky & Wilson, 1989; Hurst & White, 1994). The ethics of this 'manipulation' assume a different significance on the Internet, where privacy is often a major issue, with its invasion justified by the journalist's belief in 'the public right to know'. Chermak (1994), for instance, made specific mention of the reporting of rape, putting forward the view: "If reporting rapes in a certain neighbourhood helps people to become aware of the problem so they can be looking over their shoulder, then we need to let the public know."

Included in this notion of 'letting the public know' should be the part the media play in the social construction of reality process, where they are "felt to be especially important for the construction of a crime-and-justice reality in society" (Surette, 1998, p. xiii). This echoed a statement made by Smith, (1978, p. 168 cited in Ericson et al., 1991, p. 16), who referred to journalism as "the art of structuring reality, rather than recording it." Surette (1998, p. 6) suggested the public gained their knowledge of the world from four sources: "personal experiences, significant others ... other social groups and institutions ... and the mass media". The Internet is undoubtedly a part of this mass media and the notion of public knowledge is supported by the hypodermic needle model of mass communication and its assumption that the media 'inject' perceptions of reality into their audience, who remain a passive part of the process (Greek, 1998; Rhoads, 1997).

It can be argued that the public's construction of reality is thus a manufactured one, based on reliance on the media as a source of information and knowledge (Surette, 2007). The contribution of the media is also dependent on the individual's contact with and degree of significance attributed to the media. However, any construction of reality gained from the media includes the social construction of a crime and justice reality and this may well be flawed by the attention paid by a large section of the media to a small section of criminal

activity. In most cases, the public hear about crime and criminal justice only through the media, in the way in which the media want the topics to be perceived. Chermak wrote about the “limited picture”:

Because of this limited image, the public at large and politicians in particular not only come to form distorted views about crime and victims, but they also support policies that may or may not make sense when compared to what some may argue are the more informed pictures shared by criminologists and victimologist (1995, p. 96).

The importance of the media’s role in the way in which the public form their views highlights the issue of social responsibility. This is given added significance by the public’s tendency to use the news as a representation of order in their own lives, as opposed to the “disorder” element of crime. Ericson et al. not only reflected this emphasis on order in the title of their publication *Representing Order: Crime, Law, and Justice in the News Media*, but also stated (1991, p. 3): “News of deviance and control represents order through constituting an active discourse about the ordering activities of the people and organisations reported on”.

Further reference to this state of ‘disorder’ was made by Gans (2004, p. 52), who commented: “One type can be called disorder news, which reports threats to various kinds of order, as well as measures taken to restore order”; and by Lotz (1991, p. 2): “[p]apers do such a brisk business in crime that they are in effect advertising disorder.” With the even greater coverage of the Internet, this quality of disorder applies equally to online reporting of crime and justice and relates closely to the news value of ‘unusualness’, which is discussed below.

Although the emphasis so far in examining the reasons for the reporting of crime and justice has been on the actual reports, some researchers attribute much greater significance in the process to the members of the media themselves. Ericson et al. (1991, p. 16) maintained that journalists did not merely report stories, but played an active part in them, an opinion endorsed by Surette (1998, p. 4): “The media are not neutral, unobtrusive social agents

providing simple entertainment or news.” This point of view will be discussed in Chapter 6 of this thesis, particularly as it applies to the concept of gatekeeping.

Regardless of the roles the media play in their reports, like most workers in most professions they are in business to make a living, which means they are ultimately concerned with revenue from their news outlet. This literature review now moves to the next reason for the reporting of crime and justice: profitability.

2.1.2 Profitability and crime reportage

Profitability is an important – if not the most important – factor in the production cycle of any sector of the commercial media. Whereas public broadcasters are rarely called upon to make a profit, commercial print, radio and television all need to make their publications or broadcasts pay and, to accomplish this, they must give their audiences the news they want to read about, see or hear, in the way in which they want to receive it. Newspapers were the first sector of the media to discover the value of including crime reports in their publications and the impact of crime coverage on newspaper sales can be traced back to the late 19th century. Both Chermak (1995) and Lotz (1991) quoted the example of the *New York World* and its move from predominantly political reporting to coverage of “crime and tragedy”. The result was an immediate increase in circulation, prompting William Randolph Hearst to do the same some years later with the *New York Journal*. Media institutions are business organisations and as such are obliged to run their businesses profitably. Crime news is popular and good for business; it is not expensive or difficult to obtain and researchers agree that it helps to sell newspapers (Chermak, 1995; Grabosky & Wilson, 1989). Some editors view it as their ‘bread and butter’. Nonetheless, newspapers have to depend on more than just their crime stories to attract their readership, a conclusion shared by Lotz (1991, p.12) who, while acknowledging that crime reporting does sell newspapers, cautioned that it alone “does not keep a paper going”. The need to keep publications cost-efficient is unquestioned and profitability is an integral factor in the publishing equation.

However, the profitability of newspaper publications and the need to be financially accountable take on a new significance when online news outlets are considered. Harcup (2003, p. 368) pointed out, with reference to alternative media, that material published on the

Internet carried neither the financial nor the practical responsibilities of printing and distribution. This may be an area where the two sectors of the media are still diametrically opposed, but they come under the same scrutiny when the question is considered of whether, as a result of their reportage, the media prevent or encourage crime. This is the next issue to be examined in this section of the literature review.

2.1.3 Deterrence and crime reportage

This aspect of news reporting has specific reference to the reporting of crime and criminal justice. Some would contend that deterring crime could justifiably be viewed as yet another facet of the media's social responsibility. However, because it is such a controversial element in the reporting of crime and justice, it is examined here on its own merits.

Opinions differ as to whether the coverage of crime news acts as a deterrent or motivating factor in criminal activity. One school of thought holds that, simply by publicising details of arrests and convictions, the media are issuing an effective warning of the fate awaiting potential criminals and, in this way, deterring them from criminal activity (Lotz, 1991, p. 4). On the other hand, "The media, particularly the news media, defends itself from the charge of fostering violence by stating that they are simply reflecting what exists" (Greek, 2003, Lecture 1).

In either of these instances, the media can be said to be playing an important educational role in their process of reporting crime and the differing perceptions lead to consideration of the significance of this role, as many people gain their only awareness of the law and the criminal justice system from media reports. It is also a probability that, to a certain extent, their construction of reality in this regard is also heavily influenced by the way in which crime is presented in the entertainment media; however, this aspect is more relevant to a discussion of general media portrayal than of news reporting and will not be pursued in this study.

Reverting to the issue of discouraging criminal activity, the criminal justice system itself makes use of the media to deter specific crimes, such as drink driving and speeding (Chermak, 1995). By giving publicity to the fact that these offences are receiving special

attention from the law during a specific period and that heavy penalties are being imposed, the police hope to cut down on the incidence of these crimes and are, in effect, acknowledging their faith in the ability of the media to assist in the process. Lotz (1991, p. 4) supported this contention when he cited Joseph Pulitzer's belief: "Get things out in the open, describe them, attack them, ridicule them in the press, and ... public opinion will sweep them away."

Nonetheless, he then countered this argument with the hypothesis that, if this reasoning were correct, crime would increase if newspapers were not being published; in the example test he cited, where newspaper staff in four cities staged strikes and stopped production of their publications, this was not the case: "...instead, offenders, apparently oblivious to the strikes, continued plying their trade at the customary pace". Similarly, when anti-drink driving campaigns are launched in the media, it might be expected that arrests and convictions would drop dramatically. However, they do not.

Even Surette (1998, p. 234), whose schema debated public perception of the criminogenic effects of the mass media, acknowledged the contradiction by pointing out how the media were seen as both the cause of and a possible major solution to the problem of crime and violence. He stated: "The primary cause models argue that a significant, direct linear relationship exists between media content and consumer behaviour."

This would suggest that, although different opinions are expressed about the effects of the influence of the media, little doubt exists that such an influence exists, to a greater or lesser degree. The Limited Effects model of Hovland's Effects Theory (Hovland, Lumsdaine, & Sheffield, 1949) proposed that, even in instances where the media might have an influence on criminal activity, that influence was a limited one. Joseph Klapper's (1960) comprehensive research, described in his publication *The Effects of Mass Communication*, found that mass communication was not instrumental in bringing about change. According to Klapper, most people who attended to mass communications did not absorb all the messages or absorb any of them exactly as they were given: exposure, perception, and retention were all selective (Lotz, 1991, p. 42). Whether public opinion is influenced more by significant others or by the media is another contentious issue. Klapper claimed that people were

influenced more by those known as ‘opinion leaders’ than by the mass media, in direct contrast to Graber (cited in Lotz, 1991, p. 48) who maintained the public received most of their information about crime from the media.

To a certain extent, this perception is endorsed by the public, according to a survey in the United States (Surette, 1998). Of those polled, 43 percent felt that local television news encouraged crime and 60 percent believed television and movies contributed to “social violence” (Surette, 1998, p. 117). However, these statistics should be viewed in the context of further research, which revealed that violent crime had not increased with the introduction of commercial television, although other types of crime had been more influenced, i.e. “certain property crimes, particularly larceny”.

This would appear to be at odds with the contention of most researchers that the media pay disproportionate attention to sensational and violent crimes, favouring them over ‘less interesting’ criminal activity, such as the aforementioned larceny and property crime. This attention is even more pronounced in crime coverage on the Internet and this is a subject to be explored further elsewhere in this study. However, this section of the literature review is concerned with researchers’ opinions on whether the media encourage or deter criminal activity.

Where they might legitimately be accused of motivating such activity is in the case of ‘copycat’ crime, where publicity about a certain crime is directly responsible for someone else copying it and its modus operandi. Surette (1998) questioned whether the phenomenon was in fact a reality at all and pointed to the wealth of accessible information in the mass media on the means of committing crime. He defined the criteria for crimes to be regarded as copycat: a media link between the crimes with the second inspired by the first; the second offender must have been made aware of the original crime through the media and must have adopted key elements of the first in the commission of the second crime; the selection of a victim, too, “should have been lifted from the earlier, publicized crime” (Surette, 1998, p. 137). Straightforward as the links may be, they are not without contradiction. Despite the contribution the media might make towards the incidence of copycat crime, criminal justice professor Carol P. Getty (2001) , writing for *Corrections Today*, cautioned that the relatively

low occurrences of the phenomenon should not lead to the assumption that media were the cause of crime. Discussing the same subject, Jewkes (2004, p. 12) defined the “appeal to common sense” as a “perennial feature of what has come to be known as the ‘copycat’ theory of crime.” This was in reference to a quote from television presenter Anne Diamond (cited in Jewkes, 2004, p. 12) who defined the murder of toddler James Bulger in 1993 as copycat crime, because “our gut tells us they must have seen the evil doll Chucky” and “We all know that violence begets violence,” a reasoning Jewkes went on to refute.

Instead, it could be contended that news media coverage of crime serves as deterrence. As with other elements of this discussion, deterrence is not clearly defined as a separate issue; it overlaps and is linked to other factors associated with crime reporting, including the effect Surette defined as media echoes (Loften, 1966; Kaplan & Skolnick, 1982, cited in Surette, 1998, p. 79; 1999). Acting on the hypothesis that media publicity about certain cases affected the judicial proceedings of similar, but less publicised cases, Surette (Surette 1989, 1995) analysed 3,453 felony cases tried over a period of 10 years, in order to assess the extent of this effect. His findings showed that, even though the coverage itself might have centred on the highly publicised cases, its effect did, in fact, extend much more widely. “This effect, herein termed a media echo effect, therefore occurs when a highly publicised criminal case results in a shift in processing for similarly charged but non publicised cases.”

This media echo effect reverberates through highly publicised crime reporting on the Internet, with its need to keep an international audience up to date and fully informed about the most well-known and sensational cases. With the ability of the person browsing the Internet to click through any number of news channels in search of the latest information, competition is fierce and sensationalism is one of the keys to unlocking audience attention. Coverage of these cases takes the Internet and journalism in general ever closer to the borders of entertainment.

2.1.4 Entertainment and crime reportage

Entertainment and journalism are not as far removed from each other today as they have been in the past; neither are entertainment and the reporting of crime and criminal justice. Although the connection between news reporting and entertainment would not be an

automatic one to make, it has become increasingly more prevalent. Grabosky and Wilson (1989 p. 11) alluded to earlier times, when news reporting was acknowledged primarily as a reflection of events that had occurred. Now, “the nature of information, particularly of tabloids has changed so they have to be an entertainer” (Grabosky & Wilson, 1989, p. 12). Thus, they are compelled to compete on an entertainment as well as a news and information level.

This observation was endorsed by Chermak (1995, p. 106): “Crime stories provide real-life drama and entertainment that can stir a host of emotions, making such stories more appealing to the public.” However, a cautionary note had been injected earlier by Gannon (1994, p.168): “Too often, we are combining the attributes of the tabloid newspaper and TV talk show into a lowest-common-denominator form of journalism that cheapens our products and trivialises our professional purpose.” This topic continues to arouse debate amongst journalists, particularly with the additional and often contentious contribution of the Internet to the equation. The same can be said of some examples of literary crime fiction, also falling into the category of entertainment and not always accurately researched or presented. Perhaps a more acceptable and reality-based approach is found in true crime stories, such as those penned by Australian author Robin Bowles and relating specifically to Australian crime. She wrote her first true-crime account in 1996 and has since produced one almost every year. Two publications are of particular relevance to this thesis, as they formed part of the research base for the Joanne Lees demonstration case study in Chapter 5.

Nevertheless, does the entertainment factor fulfil a social need? Still another point of view linking crime news to entertainment is the perception that it may be a modern-day substitute for the public spectacles enjoyed by earlier generations, who were afforded full access to public hangings, stocks and other visible forms of punishment (Ericson, cited in Lotz, 1991). It must be acknowledged that these open events not only provided entertainment, but also gave visible evidence of the consequences of crime and of justice ‘being seen to be done’. When these factors are taken into account, then the visual elements of the Internet, with its ‘video on demand’ facility, must surely cater to those elements of audience interest, an integral part of which is moral evaluation, closely linked to social judgment.

It was pointed out earlier in this literature review that social construction of reality is formed largely from what the public glean from the mass media; in the same way, the public form their moral evaluation from what they see and hear in the mass media. Ericson et al. (1991, p. 5) referred to moral evaluation as the first of three major components of order: “[W]hether something is in or out of order is judged in terms of whether it is good or bad, healthy or unhealthy, normal or abnormal, efficient or inefficient.” The impact of the linkage between crime reporting and the historical morality play is explored later in this study and contributes to the media’s reasons for reporting crime and criminal justice. However, not to be forgotten is the fundamental reason that any publication carries any item of news: because it satisfies audience demand and sells newspapers, or attracts advertisers. Why it does this so successfully is because crime coverage embodies many of the elements pertaining to ‘newsworthiness’ or news values.

2.1.5 News Values of crime reportage

Stories are selected by editors and/or producers/publishers for their newsworthiness or element(s) of news value, an intangible quality that has been determined by audience reaction over the years. The term ‘news values’ comprises a number of individual factors and, although most researchers put forward similar key elements of newsworthiness, they differ in their priorities and descriptions.

Most often referred to as the classic study in this connection, the Galtung and Ruge study (1965, cited in Harcup & O'Neill, 2001) listed among its 12 news factors: frequency, threshold, unambiguity, meaningfulness, consonance, unexpectedness, continuity, composition, reference to elite people. Some of these factors were similar to elements defined as news values by subsequent researchers. Murray Masterton (1998), in his doctoral thesis “What Makes News News”, identified elements contributing to his theory that “only certain information – that endowed with three core elements – can ever become news”. His research led to the finding that three core elements and six major news criteria were acknowledged almost universally as contributing to newsworthiness and consequently formed the basis for the questions relating to this topic in this study. The elements are Interest, Timeliness and Clarity, all of which he found “must be present for information to become newsworthy”. His six criteria were Consequence, Proximity, Conflict, Human

Interest, Novelty, Prominence, “so far ahead of any other in acceptance level that the rest don’t count internationally”. What this researcher found of particular interest in Masterton’s work and which defined the context for addressing the topic in this study was his caveat: “Conversely there is justifiable suspicion of the validity of what journalists believe, or say they believe, to be the basis of news, or even of the idea that they write news according to what they believe” (Masterton, 1998). Surette (1998, p. 63) described the elements of the crime news frame as “... the attribution of responsibility at the individual level, the reaffirmation of moral boundaries through the condemning of their violation and the final resolution of the crime through capture, punishment, or condemnation of the criminal”.

In addition, other examples of news values were investigated, particularly those included in curricula such as those of Professor Anthony R Curtis of the University of North Carolina (Curtis, 2006), who identified ‘seven news values’ differing markedly from those of Galtung and Ruge: Impact, Timeliness, Prominence, Proximity, Conflict and Currency. The Department of Communications, College of Humanities, University of Utah (2006) identified eight, adding Human Interest to the seven previously listed. The *News Manual Online* (Ingram & Henshall, 1991) includes news values for reporting crime as seriousness, unusual nature of the crime, size of the community and identity of the victim or criminal. In the light of these different definitions, it can be questioned whether the Internet has affected or even changed completely the definition or importance of these traditional news values. Has its impact on the Internet, journalism and crime equation been such that tradition has been superseded and that at least some news values, as accepted by traditional media, have perhaps disappeared altogether?

What is also of interest is that, while textbooks refer to these values in specific terms, practising journalists seldom make use of these exact labels, which appear to hold little currency in newsroom terms. Jervis (1988, p. 7) listed accuracy as the “cardinal rule in journalism” and suggested as essentials “accuracy, brevity, clarity, simplicity and topicality”.

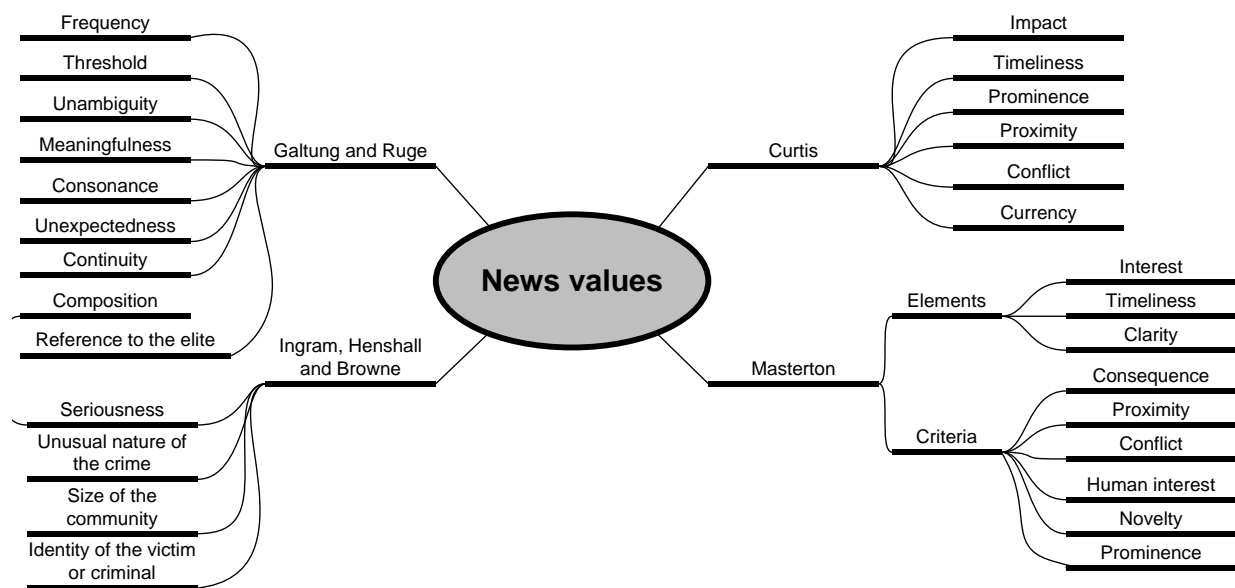


Figure 2.1: Comparison of elements of newsworthiness

These values are still integral to the news reporting process today, but this study is concerned primarily with the effect of the Internet on the reporting of crime and criminal justice and must look to that context for some further definition of news values with which to compare respondents' comments. In this field of journalism, researchers were divided in their opinions. Grabosky & Wilson (1989, p. 12) described the first element of newsworthiness as novelty: "...the exceptional, the unusual, and the novel..." They also cited violence and anything that was bizarre, or involved death or violence, or "outrages or threatens society". In this same context, Surette (1998, p. 62) wrote:

The newsworthiness of any particular crime is determined by the type of crime competitively interacting with other potential news, a reporter's time and interest, the willingness of sources to provide information and the quality of the information being provided.

Lipshultz and Hilt (2002, p. 2) classified crime stories as "hard news" and defined five qualities of violent crimes:

- Are definable events between individuals
- Are dramatic, conflict-filled, and intense
- Disrupt order and threaten the community
- Are short, simple, and verifiable stories
- Are visual and may be easily videotaped.

Surette (1998) pointed out that, even though crime stories were supposedly selected for their individual news values and their objectivity, they were generally prepared for news agencies, who then distributed them according to their own “stereotypical themes”. He continued by distinguishing between the ‘market’ and ‘manipulative’ models of news creation; in the former, it was the interest of the public that determined the newsworthiness of the report; in the latter, the interest of the owners of the news agencies determined which stories would be selected for publication. Both these elements account for the newsworthiness of crime news in general: “Crime news makes up a large part of the total news, because, being pre-packaged (suggesting the manipulative model) and popular (suggesting the market model) it helps news organisations in their routinisation task” (Surette, 1998, p. 62).

So, the question might be asked, in the case of crime reportage: Are the news values present in the story before selection, or are they artificially injected into the report? Surette (1998, p. 60) claimed: “ ... media are purposefully distorting reality and using the news as a means of shaping public opinion in support of large conservative social institutions” and introduced into the definition of newsworthiness two further elements: periodicity and consonance.

Periodicity refers to the timing of the events under consideration: if their ‘cycle’ is similar to that of the publication and ties in with its deadlines and schedules, those events are more likely to receive coverage. So, if the publication in question is a daily newspaper, it is more likely to focus on those events that occur within a daily cycle, or can be conveniently divided into daily reportage of their events. For instance, in media coverage of the trial of Bradley John Murdoch (a demonstration case covered in Chapter 5 of this paper), events were reported on a day-by-day basis on *theage.com.au*. Similarly, the earlier pre-Internet

trial of Lindy Chamberlain met the criteria of periodicity, as did the later, more current events surrounding the arrest and conviction of Schapelle Corby (also covered in Chapter 5 of this paper).

Consonance refers to the way in which the events correspond to previous stories or themes, or conform with the expectations of the public. Sometimes, unlikely stories are selected, because they can be ‘framed’ in the context of prior reports. The agenda-setting theory of McCombs and Shaw (1972) confirms the way in which the media frame stories in order to ensure they are received in a certain way by the audience. Examples of the use of consonance would include the practice of ‘Lyndification’ when covering such stories as those of Schapelle Corby and Madeleine McCann, both referred to in Chapter 5 of this paper. ‘Lyndification’ refers to the linkage given by the media to the earlier case of Lindy Chamberlain when reporting more recent events, with the intention of adding weight to the later story and framing it for the audience in the context of the earlier event.

Nevertheless it should also be pointed out that newsworthiness is often simple expediency. Crime news ‘happens’, generally without warning or prior notice; and its coverage usually involves a straight reporting of the facts, without the need for comprehensive research and/or preparation. In addition, crime stories are not usually difficult to obtain and often are provided directly to the media by the local police. They are also likely to be understood by most audiences. However, this must be set against the view of other researchers, such as Professor Judy McGregor who wrote about crime being “over-reported” in New Zealand. She gave four reasons for coverage of crime stories:

(They) define for us what is good, what is bad, what is evil and what is deviant...match news values such as negativity...easy to gather...allow the media the opportunity to advocate and campaign in the name of justice for perceived miscarriage of justice (McGregor, 2002, p. 82).

Less specific are the myriad of alternate factors listed by other scholars. Fuller (1996), in his book *News Values: Ideas for an Information Age*, (cited in Mutch, 1996), stated that news was “accuracy, objectivity, bias, the ‘observer theory’”; on the other hand, McQuail (2000, p. 338) quoted commentator Robert Park (1940), who compared news with history

and found it different by virtue of being (inter alia) ‘timely, unsystematic, perishable, unusual or unexpected’, as well as ‘predictable’. Most scholars agree that news values generally favour events that are about elite people, elite nations and negative happenings (Grabosky & Wilson, 1989; Greek, 1997; McQuail, 2000). The Galtung and Ruge study (1965, cited in Harcup & O'Neill, 2001) listed among its twelve news factors: frequency, threshold, unambiguity, meaningfulness, consonance, unexpectedness, continuity, composition, reference to elite people. Most of these, albeit sometimes defined in different words, are similar to those cited by subsequent researchers.

In addition, Professor Cecil Greek of Florida University (2003, Lecture 2) drew attention to academic Hans Schneider. He subscribed to the beliefs of Emile Durkheim that even criminals have a useful part to play in society, even if it was only to emphasise the difference between themselves and non-criminals and to allow the non-criminals a certain feeling of righteousness and superiority. Schneider also upheld the view expressed by other researchers already mentioned, that the media tended to follow violent crimes and pay less or no attention to other criminal activity. This could be ascribed to still another aspect of newsworthiness, which takes into consideration four different levels selected by the media to satisfy four corresponding levels of news space (Chermak, 1995; Surette, 1998):

- Those crime stories that act as space fillers, easy to research and write, with the added advantage of being easy to discard should a more important story surface before publication;
- Those stories that might become important news: these will take longer to research, as each avenue needs to be explored in case it yields those facts that will turn the report into a major news story;
- ‘Primary’ stories, those given prominence in the publication and usually involving the cooperative efforts of several journalists. These stories can often be given added importance through linkage to other issues or prominent crimes;

- ‘Super-primary crime stories’, those stories that are sensational reports, often involving celebrities and usually carrying international as well as national appeal. The O.J. Simpson case is a recent example of a super-primary crime story and the discussion section later in this study will examine the question of to what extent the Internet has been responsible for placing even greater emphasis on the super-crime story.

This may be observed in the increasing incidences of media treating criminal trials as news and entertainment events, particularly on television and with growing frequency on the Internet. Built on the foundations of criminal cases, which have already enjoyed the benefit of a great deal of exposure and consequent audience appeal, the trials intensify interest in the cases. Once the trials receive online coverage, publicity becomes a self-generating exercise, with the public constructing yet another vision of reality as a result. Publicised trials have the advantage of showing both crime and criminal justice; they also give the media ample scope to approach the theme from an entertainment perspective.

The above elements are some of those considered to contribute to newsworthiness in all sectors of traditional media and this literature review now continues with an investigation of these three arms of the traditional mass media: print, radio and television. Such investigation will make a meaningful contribution to the findings of the primary research question: In what ways has the Internet influenced the reporting of crime and criminal justice in traditional media?

2.2. Traditional qualities of the media

Before the advent of new media, specifically the Internet, mass media traditionally comprised print, radio and television, with newspapers the first medium of information. These three formats have for many years been limited or defined by their qualities. Each has its own particular audience and carries its news in the best way to maximise its potential for reaching that audience, as explained here. However, each is now subject to the influence of the Internet and examination of the individual traditional characteristics will provide a platform for establishing the effects of this influence. The first arm of the traditional media to be considered is print.

2.2.1 Newspapers

Newspapers cover a range of topics in each issue. Their publishers know their target market and arrange their coverage in the way that suits them best. Newspapers can devote regular pages or columns to crime and justice and can devote space to items of special interest (Ericson et al., 1989). Print media dominated the mass media until the 1950s (Surette, 1998); however the arrival of television brought substantial changes to both print and radio, not only in reporting style but also in the content of their reports. One change that emerged as a result of the advent of the electronic media was the overt revelation of private and personal information, previously seen as being in bad taste. “Under the influence of the electronic media, the social norms regarding what is private and what is fair game for media coverage also changed” (Surette, 1998, p. 19). This study makes further reference in Chapter 6 to Surette’s definition of items which should not be published and discusses these as they relate to the individual’s desire for privacy.

The individual’s desire for privacy is largely overlooked in online crime reporting and this aspect of change has almost certainly been exacerbated by Internet coverage, which has no specifically defined target audience and must use the material most likely to generate greatest mass interest. While newspapers still enjoy many advantages, they are victim to one major disadvantage: receipt of their information is limited to people who can read, or who are “elite” (Surette, 1998). Radio does not demand this ability, nor does television when it complements its text content with audio and visuals. In addition, newspaper deadlines and printing procedure are often another source of disadvantage, as well as the delay experienced in updating or printing a special edition in the event of breaking news.

However, newspaper organisations continue to publish and print their traditional editions, despite – or often in addition to – the competitive threat of their Internet rivals. McQuail (2000, p. 21) defined the qualities of the newspaper as “regular and frequent appearance, informational content, public sphere functions, relative freedom”. The style of newspaper reporting has undoubtedly changed, in an effort to keep up with new media. An aggressive, investigative form of journalism is more prevalent and more media are reporting ‘backstage’ behaviour (Surette, 1998, 2007). Consequently it has become far more difficult for prominent figures, even accused criminals, to keep their backstage behaviour away from the public. The

reporting of crime and criminal justice in general is a prime example of this difficulty and the increased tenacity of the news media in exposing possible unknown information about their subjects. Traditional media, although inhibited by their traditional restraints, are able to circumvent these on their websites and this tenacity is evident not only in the field of print news coverage, but also in that of radio and television broadcasting, the focus of the next section of this thesis.

2.2.2 Broadcast media

Just as the Internet came about as a result of further development of existing technology, so radio and television evolved to take their place in the arena of mass communication (McQuail, 2000; Whittenburg & Shedletsky, 1999). Where the electronic media differ from the Internet is in their control: “A distinctive feature of radio and television has been their high degree of regulation, control or licensing by public authority and they have not acquired the same freedom as the press” (McQuail, 2000, p. 25). The Internet is not subject to the same degree of control, although there are different opinions on the extent of its freedom from all forms of regulation. These will be a topic for debate later in this literature review and more comprehensively in the Discussion section of this study.

With the increased ease of access to the electronic media, more people are receiving the same news in all arms of the media. Almost every aspect of crime and criminal justice is now open to the public, with chequebook journalism accounting for accused or even convicted criminals and murderers being paid to share their stories on radio or television. Laws are more widely known and understood and, in many instances, ‘trial by media’ results in judgment of the accused well ahead of any official trial. Surette (1998, p. 22) predicted that “legitimacy of the criminal justice system will come to be questioned more and more as more of its daily backstage operations are exposed through the efforts of the media”.

This section now turns its attention to radio.

2.2.3 Radio

On the surface, radio would seem to reflect the most limited coverage, with its offerings confined to sound. Ericson et al. (1987) stressed the need for radio to keep the attention of its listeners; that duration of items was necessarily brief and that the total image was enhanced with the use of actuality sound or soundbytes. These provide more depth to radio stories and allow the listener to form a mental picture and paint in the details. Not for nothing is radio referred to as the theatre of the mind, with the classic example of this still most often identified as Orson Welles's *War of the Worlds* broadcast in 1938 (Brown, 2006). Although as Ericson et al. (1987) pointed out, language used on radio needed to be simple and clear, it could still be of superior quality; however, in itself it could not convey connotative meanings. Although the researchers stated that the construction of connotative meanings through actuality clips and background music would be condemned as being in bad taste, differences in tone of voice could convey as much connotative meaning as a background picture.

Radio made its first real impact in the 1920s and “established itself as itself as the first live, on-the-scene reporting medium” (Surette, 1998, p. 59). Today, its biggest advantages are still its portability and accessibility, even from remote areas. In countries with large rural populations, radio is often the only medium of information: it can be accessed without electricity and without any specific literacy skills. In some outlying districts of Africa and Asia, newspapers are still largely unknown.

Moreover, radio also offers ease of communication. A story can be reported from any location with the aid of a telephone, although Ericson et al. (1991, p. 46) found the medium employed the “least journalistic resources” and that “increased resources might not enhance its product greatly”. Today, most journalists carry mobile telephones and portable recording equipment; these alone can permit the immediate broadcast of a breaking story, which, because of radio's flexible programming, can be taken ‘on air’ immediately. Also, it is often easier for one journalist with a mobile telephone to gain access to difficult areas than it is for a group of journalists with camera equipment, although new technology is gradually decreasing the amount and size of equipment needed for visual transmission. Herbert (2000) referred to the speed and complexity of developments in radio broadcasting. He mentioned

particularly digital technology used in recording and editing, computers, satellite phones and laptop computers. Today, these are commonplace.

Despite this, radio reporting of crime and criminal justice is often confined to short inserts in news broadcasts, current affairs programmes or talk-back shows. It is not easy to offer in-depth reportage of events of a particular crime on radio, whereas immediacy of the medium does permit it to break crime stories with headlines, leaving listeners to follow the details on the radio channel's own website or those of its competitors.

However, the advent of the Internet has endowed radio stations with many of the qualities of their electronic rival, television, and of print media. Online radio sites feature video as well as text in their coverage and certain channels, particularly large public broadcasters and global channels such as the Australian Broadcasting Corporation and the BBC carry articles and discussions online not incorporated in their normal radio broadcasting (BBC worldnews online). Of all traditional media, radio has perhaps made the greatest evolutionary strides as a result of its online development and is able to compete more favourably, at least on the Internet, with television.

2.2.4 Television

Television would appear to present the fullest picture of a news item, including as it does both sound and vision. However, it should be remembered that the visual aspect of television is limited to the picture on screen and restricted by the parameters of that screen. Because the viewer is confronted with the picture and because the picture moves rapidly, the viewer tends to see only that part of the story presented in the picture and not to expand the image of that picture beyond the borders of the television screen, or to read any further significance or meaning into it. Also, because the visual image is a moving one, the viewer's attention tends to move with the picture and not use hindsight to give more thought to a previous point.

Ericson et al. (1987) raised the point that newspapers have seen themselves under threat from television, which is deemed to be more objective because of its visual evidence and highlights the bias or prejudiced coverage of the press. Readers' familiarity with television has over the years prompted newspapers to adapt their format to resemble a television screen

more closely and “people are more used to brief presentation of news” (Hamilton, 1977, cited in Ericson et al., 1989, p. 40). However, television itself is most under threat from the Internet, from the point of view of both audience viewing time and online video capability. Video is present in abundance on the Internet and multimedia developments allow such presentations as Flash, “a complex format developed by Macromedia, Inc. that merges video, audio and animation, can incorporate pieces of assorted multimedia elements into an interactive window” (Craig, 2005, p. 185).

From the perspective of the research question of this study, television provided the first opportunity for the public to watch a trial from within the actual courtroom and to gain a first-hand impression of the proceedings. Surette (1998, p. 95) pointed out that “the judicial system has long been sceptical about visual coverage of trials” and a ban on courtroom photography and television lasted until 1953. The precedent was then set in Oklahoma City, after which came television’s next viewers’ milestone: live coverage of a major news event, the 1955 siege in Waco, Texas (Surette, 1998, p. 95). Since then, television coverage has helped to increase global awareness of and interest in such major criminal trials in the United States as those of O.J. Simpson, the Menendez Brothers (where its negative effects in the first trial caused the judge to ban the cameras in the second) and Michael Jackson. In the latter case, although cameras were not permitted in the courtroom, Sky News TV employed actors to impersonate the main protagonists in the trial and re-created the actual dialogue, thus giving their viewers a first-hand look at the courtroom proceedings. These were then discussed and debated by panels of so-called ‘experts’ in various arms of the law and media, maintaining the interest that the media themselves had created.

Since its inception, television has streamlined its procedures enormously. Whereas previously, a mobile film unit complete with sound and editing facilities was necessary to transmit a broadcast, the needs have steadily become much simpler. “We can travel into a war zone like Afghanistan with two satellite phone units, a camera and a video transmission unit, and within 20 minutes be broadcasting live pictures back to our audiences in Australia” (O’Byrne, 2002, p. 284). Today, even in a war zone, the requirements are still fewer and in a recent presentation, Dr Stephen Quinn cited the *mojo*: mobile journalist, television or multimedia, able to transmit text and visuals live by mobile telephone (Quinn, 2008).

This being said, it should not be forgotten that television is watched primarily in the home, which gives it the responsibility of meeting the needs of every member of the family, while at the same time not offending any members who might be watching together. Yet in some homes various members of the family are no longer watching television, but communing with their computers instead. The Internet is viewed by one person at a time and that one person is able to surf the Internet in search of a satisfactory or acceptable source. Radio is also a more singular source than television (McQuail, 2000, p. 33). Both electronic broadcasting and newspapers are largely geographically fragmented (McQuail, 2000, p. 193), so their crime reportage is likely to be more targeted towards their audiences than is similar coverage on the Internet. The exceptions to this, of course, are the international television channels such as CNN, Sky News, BBC and Fox News, who all now transmit live coverage on a global basis. However, the ability of web browsers to select their own stories and websites gives them personal, tailored targeting of information.

Nevertheless, other television channels which may not have global coverage are no longer disadvantaged in this respect, as they are able to achieve it with their websites, now competing even more fiercely for viewers and advertising than their traditional counterparts ever did. With the increased coverage possible on the Internet and the possibility of extending it even further through the use of site links, television coverage has become totally comprehensive and all-encompassing, demonstrating the influence and significance of the Internet on the medium. The question arises as to whether that influence and significance have had a noticeable impact on legal and ethical issues of traditional media.

2.3 Ethical and Legal Issues

A line of enquiry considered particularly important to this study was the influence of the Internet on the legal and ethical elements of traditional reporting. As online reportage gains momentum, more instances of legal or ethical infringement become apparent. The subject of regulating the Internet is addressed at greater length in the Results chapter of this study, (Section 4.14), but the question is whether those restrictions imposed on traditional news reporting apply, or can be monitored in any way, on the Internet.

Ethical and legal issues, in many instances, are still evolving in online journalism. Whereas traditional media have progressed through a series of ethical and legal developments, new media – or the Internet – began with a relatively clean slate, the chalk of circumstance and progress having defined new and online-specific matters requiring decisions. What considerations have been, or should be, taken into account in the transformation of news media and what impact will those ethical and legal deliberations have, not only on online journalism, but also on the reporting of crime and justice? From the literature surveyed, the following issues emerged as being of most relevance to the research question of this study and the impact of the Internet on the reporting of crime and criminal justice and, despite the fact that each of these issues overlaps with the others, each nonetheless is deserving of separate discussion.

2.3.1 Ethics

2.3.2 Privacy

2.3.3 Contempt

2.3.4 Defamation

Although other ethical and legal issues are likely to manifest themselves during the course of this study, the literature review will focus primarily on the four topics listed above. However, as has happened elsewhere in this paper, many qualities relating to ethics and legal issues not only also relate to each other but, in some instances, overlap in both their definition and application. The first area to be investigated is that of ethics.

2.3.1 Ethics

At a seminar held in Palo Alto, California, members of the traditional media voiced their misgivings about the level of new media's attention to ethics. Participants identified perspective as an important news value: "... practising journalism with a sense of place and context, a sense of customers and an unwavering commitment to use that perspective to be accurate, informative and compelling" (Brown, 2001, p. 58).

Is that commitment likely to be any less observed by new media journalists than by their traditional counterparts? Herbert (2000, p. 12) identified a major role of future journalists as

reversing the “sleaze factor” and pointed out the anomaly of their need to believe in “some kind of overriding morality of conduct and belief” and the consequence that this could then result in their reporting being based “in a certain moral direction” (Herbert, 2000, p. 74). However, any individual or organisation is at liberty to publish reports and stories on the Internet and to present them in the context of journalism. It can be argued that an individual publishing in this manner is unlikely to be subject to the restrictions of a code of ethics and consequently might be just as unlikely to place ethical considerations high in their order of priorities. This aspect of Web journalism assumes added significance with the reporting of crime and criminal justice, as individual Web authors are not subject to legal constraints such as sub judice contempt, nor are they bound by the ethical codes of any association or organisation. Even if such sites may be outnumbered by those of legitimate traditional media, they still have the potential to infringe those rules deemed necessary and upheld by traditional media.

Similar ethical issues were raised at a gathering hosted by the Poynter Institute for Media Studies (Lynch, 1998). These issues related to online journalism and the responsibility of news sites and will be taken up in the discussion section of this study, as they are integral to the research question of the impact of new media on the reporting of crime and criminal justice. The essential problem was defined by Bob Steele (cited in Lynch 1998, p. 42), director of Poynter’s ethics programme: “We need to ask ourselves, ‘How do we make good decisions in an environment that has neither a long journalistic tradition nor an opportunity for reflection?’” Web sites, even those of traditional media, are less subject to the restraining influence of a known audience with known standards and values, the checks and balances of their traditional media counterparts; web sites do not have a tradition to protect (unless they are an adjunct of a traditional news outlet), and their transient and changing nature makes them less dependent on reputation and loyalty for their audience. Do they then pay less attention to the ethics of their reportage and how is this reflected in their coverage of crime and criminal justice?

This raises the question of credibility, a topic that came to the fore when Deuze and Yeshua (2001, p. 274) in the Netherlands conducted a comprehensive analysis of literature relating to ethics of new media and concluded: “The Internet is particularly affecting

journalism in terms of its credibility (or lack thereof) in an anonymous global communications environment where everyone is both producer and consumer of content.”

Although they found little literature relating specifically to the effect of the Internet upon ethics, they said:

Journalists working on the Net are struggling to keep their credibility in an environment abundant with gossip, fake identities, and (e-)commercial activities (Singer, 1996)...The Internet shapes and redefines a number of moral and ethical issues confronting journalists when operating online or making use of online resources (Deuze and Yeshua. 2001, p. 276).

Because the ethics of Dutch journalism so closely mirror those of other nationalities, this report will form a substantial part of the discussion section on this topic, elsewhere in this study. The possibility also exists of a distinct dividing line being drawn between journalists operating in traditional media and those following their profession online.

There is a feeling that the difference between people who were trained as journalists and people using the Internet to act as journalists is that the first group adheres to a common set of ethical guidelines and the second doesn't feel that it has to" (Kramer, 1998, cited in Lynch, 1998, p. 42).

Jane Singer (1998, p. 2) explored this further in her research study, with two questions: "How is what we know as 'traditional' journalism similar to or different from online journalism? How does the nature of the interactive medium affect what journalists do?" Data relating to both these questions will be analysed in the Discussion chapter of this study.

As the research questions of this study relate to the reporting of crime and criminal justice, with particular focus on the correlation between the Internet, crime and journalism, it is essential that these questions be answered in that context, where some of the most significant differences exist. Crime sites discussed elsewhere in this study offer a range of representations of crime not possible in traditional media. Journalists online are not only those traditionally trained in the profession, but members of the public who submit their

newsgathering contributions and who need only to upload their own point of view and point the way through links other sites over which they have no control. Paul Bradshaw wrote in a paper about *Wikinews*, launched in 2004 by Wikipedia about which Allan commented: “Mutual trust and cooperation are the key ‘checks and balances’” (Allan, 2006, p. 136) and put forward the theory that “impartial journalism may be more achievable when facilitated by wiki technology”. Such impartial journalism is an important element in the reporting of crime and criminal justice, yet it has to be asked whether reports appearing on the site would be credited as newsworthy and/or credible by other publications.

The issue of ethical guidelines also applies to the next subject under review, Privacy.

2.3.2 Privacy

The issue of privacy has always been a contentious issue with media critics and it is particularly important in the Internet era, for a number of reasons. When crimes are reported, particularly those of a sensational nature, the media invoke the ethic of the public right to know, sometimes ignoring the individual’s desire for privacy although valid reasons can exist for invading this privacy on occasion: Hurst and White (1994, p. 169) referred to the public support resulting from publicising the plight of victims, as well as the media’s contribution to eliciting information and tracing otherwise elusive suspects. Where the problems arise is when intimate details are revealed about innocent or uninvolved people, in the name of ‘the public right to know’.

Despite Surette’s contention (1998, p. 92) that certain issues “should not be subject to publication”, a number of these elements, including “sexual relations, family quarrels, humiliating illnesses, intimate personal letters, details of home life, photographs taken in private places, photographs stolen from a person’s home and contents of income tax returns” frequently find their way on to the Internet, adding significance to debate about privacy and confidentiality. Gunter (2003, p. 113) made the point that official records formerly available in hard-copy format and consequently difficult to access were now freely and easily accessible on the Internet. Diane Lynch (1998), writing in the *American Journalism Review*, raised the argument that archives were easily accessed online and remained available indefinitely; what time period must elapse before the desire for privacy takes over from the

public right to know, a question of particular importance when considering crime reportage. When a criminal has paid the penalty for the crime, should the record and details remain available for all time? More to the point, for how long should a victim continue to be identified? Crime stories remain on the Internet indefinitely on sites such as *Crime Library*, and *acandyrose.com*, and are there for all to see, long after the cases have been officially closed.

In the minds of many journalists, the individual's desire for privacy has always had to compete with the public's right to know. Surette (1998, p. 91) traced the history of privacy back to an article "The Right to Privacy" written by Warren and Brandeis in the Harvard Law Review in 1890, when they stated: "...mechanical devices threaten to make good the prediction that 'what is whispered in the closet shall be proclaimed from the housetops'". Australia has no privacy laws, although the Code of Ethics of the Media, Entertainment and Arts Alliance includes respect for privacy in its ethical guidelines (Pearson, 2004). Paul Chadwick (2003, March 28), former Victorian Privacy Commissioner, citing independence as "one of the characteristics by which journalists tend to define themselves", justified his belief that privacy and journalism were compatible by quoting Thomas Emerson:

A system of privacy is vital to the working of the democratic process. Democracy assumes that the individual citizen will actively and independently participate in making decisions and in operating the institutions of the society. An individual is capable of such a role only if he (or she) can at some point separate himself (or herself) from the pressures and conformities of collective life (Chadwick, 2003).

In contrast, at the Hawke Research Institute Public Lecture Series held in Adelaide in November, 2003, Dr Ian Richards expressed the view that journalists lack the understanding that ethics determine all their professional decisions. He postulated about the fear of external regulation, the fact that journalists do not need to acquire a "systematic body of knowledge" in order to practise their profession and the 'public nature of journalism' (Richards & Sarre, 2003). He reminded his audience that journalists are more in the business of revealing information than protecting it. He also questioned whether the way in which private life is conducted is in any way related to the individual's suitability to public life and reiterated the

oft-expressed belief that individuals putting themselves in the public eye forfeit their right to privacy. In his conclusion he asked: “Underlying all such questions is a fundamental question: What is the right way for journalists to deal with concern for privacy?” (Richards & Sarre, 2003). This becomes crucial when applied to the victims of crime and alleged perpetrators, particularly in a country where that concern is not protected by law.

This concern was also addressed at the same Hawke Research Institute Public Lecture Series by Associate Professor Rick Sarre, who made reference to the limited range of privacy “rights” in the Australian Constitution compared with those obtaining in other countries.

Australian governments have consistently been reluctant to enact protection of privacy laws specifically, probably because of the dilemmas facing law reformers in convincing media proprietors that such initiative would have no effect upon legitimate journalistic endeavours (Richards & Sarre, 2003, *Common Law & Legislation*, para. 3).

Specifically what privacy is at risk in the absence of privacy laws? Surette (1998, p. 92) described the violation of privacy as taking four forms: “an unreasonable intrusion upon the seclusion of another ... appropriation of another’s name or likeness ... unreasonable publicity given to another’s private life...publicity that unreasonably places another in a false light before the public”. The public’s right to know and the individual’s desire for privacy remain apparently irreconcilable differences in media terms and are likely to become even more of a debatable issue with reporting on the Internet. What newspapers can publish is determined largely by the amount of space available; no such restrictions apply to the Internet: more copy can be added at will and every detail can be included (South, 2000). As the details increase, so the privacy decreases. Many newspapers now publish on the Internet their databases of crimes reported to police in their areas. These details are available to anyone who chooses to browse the relevant web pages.

The individuals who seek privacy are left with a choice: be in the news, or be ignored. To retain privacy and remain out of the headlines, they must opt to be ignored, or to remain as completely as possible “off-stage”. This has resulted in what Surette (1998, p. 228) called

off-stage and on-stage behaviour, a variation of the front stage and back stage alternative. An unforeseen development of the disregard for privacy has been that the “on stage” presence of celebrities has led to their being stalked and sometimes murdered by people whose only knowledge of the victim was gained through the media. In July 1989 actress Rebecca Shaeffer was stalked and murdered in Los Angeles (Maybridge, 1990-2009). However, the irony of that unfortunate incident was that the stalker in question was able to obtain his victim’s address not through the media, but found it through the then legitimate channels of the Vehicle Licensing Department, with the result that a law protecting the privacy details of motor vehicle licences was established (State Department of Motor Vehicle Records, 2002).

In addition, as referred to in the Ethics section above, the distinction arises between practising journalists and those other individuals who choose to publish information on the web. In *The Australian*, Haslem (2001, December 21) wrote about Australian privacy laws that were not specific enough in their definition of journalists and said: “There arises the question: Can individuals or organisations collect personal information ... and publish it, and then claim that this is journalism?” This question has specific bearing on the topic of this study, as personal web pages (web logs, or ‘blogs’) and Internet chat rooms are sources of freely published information about both criminals and victims; would the originators of these sources qualify as journalists if they were brought to book? In fact, do they adhere to any standards, journalistic, ethical or otherwise?

Relating the issue of privacy to the reporting of crime and criminal justice, Surette (1998, p. 92) cited the Supreme Court argument that “a balance between the gathering and dissemination of information and the preservation of privacy and chances for rehabilitation is a valid goal ...” Yet how achievable is this goal when a trial is televised, or the most intimate information about suspects and witnesses is revealed in a gossip magazine or on a celebrity website? Even more unjustified is the intrusion into the privacy of victims. Grabosky and Wilson (1989, p. 133) noted “... the press sometimes thrive on the discomfort and pain experienced by victims and their relatives ... They concede that in order to obtain a story, they engage in deception”. This was demonstrated in coverage of stories as chronologically distant as the disappearance of Azaria Chamberlain in 1980 and the more recent disappearance of Madeleine McCann. In the latter instance, not only were the suffering and

pain of Madeleine's parents shown graphically in traditional and online media, but *Daily Mirror* editor Roy Greenslade wrote the "wild claims" about the parents were "a sustained campaign of vitriol against a grief-stricken family" (Griffiths, 2008). Additionally, alleged suspect Robert Murat took legal action against three Portuguese newspapers for defamation and invasion of privacy (Reis, 2008) and was paid £600,000 in libel damages by four UK newspaper groups, "who acknowledged making 'false claims'" (Luft & Plunkett, 2008). While some of the media attention might well have been attributed to an attempt to publicise the disappearance of the toddler, Grabosky & Wilson (1989, p. 133) refuted the reasoning that might justify this notion: "But, the emotional prose which arouses passion, anger and calls for draconian penalties often negates the advantages of a higher profile for victims and their plight."

Paparazzi today have no compunction about revealing private details of their subjects and, in many instances, convicted criminals who have served their sentences are subject to a level of exposure in the media that puts their safety in jeopardy. Sub judice laws limit the exposure of details relating to those who have been charged and whose cases are under review, but respect for privacy of the individual appears to be becoming less and less of a concern to the media, both traditional and online. With privacy on the Internet remaining much less easy to regulate and control than in traditional media, this aspect might well be assumed to be a definite factor in the influence of the Internet on the reporting of crime and criminal justice in traditional media and on the Internet, journalism and crime nexus. While it is difficult to quantify and define privacy or its violations, it is less difficult to address the issue of contempt.

2.3.3 Contempt

Unlike privacy, contempt is more easily defined: "Words or actions which interfere with the proper administration of justice or constitute a disregard for the authority of the Court" (Butterworth & Nygh, 2004). Of particular significance to journalism is sub judice contempt, which Pearson (1997, p. 25) related to crime reporting and the importance of preventing trial by media and its subsequent impact on jurors. This creates problems even with the traditional press, particularly when inexperienced reporters are given the task of reporting court and trial details. Unaware of their legal limitations, they may exceed them, sometimes with serious

consequences for both victim and perpetrator. This is especially relevant in the United States, with its system of jury screening and selection (Grabosky & Wilson, 1989). Here sub judice contempt can result in mistrial, although Grabosky and Wilson (1989, p. 52) explored the implications of this and found that speculation, rather than research, guided opinion on the extent to which jurors are influenced by pre-trial publicity. In addition, while Surette (1998, p. 89) described jurors as being “the most susceptible to media coverage”, he also stated:

... laboratory-style studies generally support the conclusions that publicized confessions are especially influential on jurors, that biased news is more influential if it is the sole source of information, and that many potential jurors are able to recognise and set aside their own biases (1998, p. 90).

Reporting on a collaborative research project of the University of New South Wales and the Law and Justice Foundation’s Justice Research Centre, Chesterman, Chan and Hampton (2000) found that jurors remembered pre-trial media reports of alleged offences, but remembered less frequently reports of arrests. Additionally, “In 53 percent of the trials in which some form of pre-trial publicity was recalled by at least one juror, the publicity was discussed in the jury room” (Chesterman, Chan & Hampton, 2000, p. 2). Jurors also had greater recall when the accused were people already known in the community, had committed the offence in their own residential area, or the jurors had not been aware of the publicity until the trial had already begun. Nevertheless, sub judice contempt is an offence and the ruling on its relevance is made by the judge presiding in the case. If the judge has the power to restrict publication in traditional media (Tapsall & Phillips, 2002), who, if anyone, has the power to restrict publication on the Internet? Who sets the parameters for publication and downloading in other countries? A complication of online publishing is that it is not possible for an Internet publisher to limit the reach of any publication (Grant, 2002). Furthermore, traditional press run the risk of incurring severe penalties if they are found to be interfering with the course of justice. If reports of a criminal case in New York are posted on the website of an Internet news provider in Argentina and those reports are subsequently read by jurors on the case in New York, who will make the decision and inflict the penalties on the news provider in Argentina? The answer to that question has yet to be found and innumerable website publishers are taking advantage of this legal online loophole. One such

example relates to the Michael Jackson trial in 2004 (Appendix 1), when *thesmokinggun.com* gave “details of the criminal molestation case” online, headlined “The Predator” and ahead of jury selection. The case was already so high-profile that it was being debated on many traditional and Internet outlets, all in effect conducting their own trial by media. “The Predator” January 6, 2005 headline remains online as at March 5, 2009.

This phenomenon has long been a criticism of the traditional press, particularly where well-known members of society are concerned. While sub judice restrictions limit the activity to a certain extent, reporting on the Internet knows no such limitations and trial by media is, if anything, likely to be exacerbated. The O.J. Simpson trial was a case in point and an article by Professor Cecil Greek, (1996), examining the effect of the Internet on the result of the trial, called it a “cybertrial,” leading to discussion and analysis by people all over the world. However, private citizens consider and publicise their own verdicts, too, through the facilities of the many online chat rooms, few of which are subject to any monitoring or restrictions and most of which allow complete anonymity on the part of the contributors. Clearly, these assume even more significance when seen in the context of news and journalism, as interactivity is a perquisite of online news sites and many host affiliated chat rooms.

This aspect is explored further in this literature review, as it relates significantly to the impact of the Internet on the reporting of crime and criminal justice. Taking it further into the context of legal issues, does the site take accountability for any untoward material posted? Included in the ethical dilemmas this poses must be, once again, the question of such legislation as sub judice contempt.

Pearson (2004) discussed the difference between a newspaper publishing sub judice material where such publication is geographically distanced from the location of any potential jurors and publishing the same material on its Web page, where it would be accessible to any individuals, including potential jurors. The legal risks incurred were highlighted in the instance of the Australian *News of the Day*, facing a charge of naming the accused in a child sex case while the committal hearing was in progress (Newman, 2000, p. 5 cited in Pearson, 2007, p. 108) and a Victorian murder trial aborted in May 2000, because

information on a criminal website might have brought the accuser's previous criminal conviction to the attention of jurors. This evidence would seem to favour the assumption that sub judice contempt will be enforced as rigorously on the Internet as it is in the traditional media, despite jurisdictional complications. However, even though the discovery of questionable content on the Internet may well influence the outcome of a trial, it remains much more difficult to make Internet perpetrators accountable for that content.

2.3.4 Defamation and Jurisdiction

Those same jurisdictional complications bedevil the issue of defamation. "We already have some of the toughest defamation laws in the country, in the world" (Blunden, in Willacy, 1999). Yet, the eight different defamation jurisdictions prevailing in Australia until recently prevented open debate, complicated the situation and presented a strong case for urgent revision of the defamation laws (Grabosky & Wilson, 1989; Hartigan, 2003, April 12). Macfarlane (2002, May 7), writing in *The Australian*, took the concept a step further and proposed that defamation laws should be 'swept away' to free up public debate and reinvigorate democracy. This raises once more the conflict already mentioned between privacy and the public's right to know: "The basic competing interests at stake in the law of defamation are freedom of the press, particularly freedom to criticise public officials, and protection of an individual's reputation and privacy" (Grabosky & Wilson, 1989, p. 79).

Defamation laws severely curtail freedom of expression and the need for them would seem to give the lie to the notion that "in the marketplace of ideas, truth will eventually prevail over falsehood" (Grabosky & Wilson, 1989, p. 79). Furthermore, the probability also exists that defamation laws are more likely to be brought into play and defended by the wealthy than by those without means. "It gets back to economics in the end because newspapers know that if someone's poor, they'll never sue" (Grabosky & Wilson, 1989, p. 84). Here again, this is likely to apply to a greater extent in Internet journalism. The costs and logistical difficulties of conducting litigation against someone in another country are necessarily higher than those incurred in pursuing justice on home ground. The possibility is strong, too, that any compensation awarded in a different country is likely to remain unpaid.

Two Australian defamation cases are relevant to this discussion. The landmark ruling in *Dow Jones & Company Inc. v. Gutnick* (2002) opened the Pandora's Box of jurisdictional complexity. Melbourne businessman Joseph Gutnick won his defamation action over an article published online by a company located in the United States. The decision of the court was that defamation occurred when the information was downloaded and a third party read the material and not when the material was posted on the Internet. This gives rise to the question posed by Whitehead and Spikes (2003): "Should defendants be haled (sic) to a jurisdiction where, though their websites are accessible, they had no intent to do business?"

This same ruling was applied in 2003, when Trevor Cullen, a lecturer in journalism at Edith Cowan University in Perth, Australia, was awarded defamation damages of over \$A95,000 against a Los Angeles cyber-stalker (Arnold, 2006). Retired lawyer Bill White had stalked Dr Cullen and about 60 other people over the Internet for five years. While Dr Cullen may have had the satisfaction of knowing that the decision was made in his favour, he was still faced with the problem of restoring his damaged reputation, as well as the probably impossible task of collecting the damages he was owed. In addition, a number of the defamatory websites still remain on the Internet for any interested party to see (Arnold, 2006).

"Australia is suddenly looking like a good place to sue", said Peter Coroneos, chief executive of the Internet Industry Association, which opposed Gutnick in his case. The court refused Dow Jones's request to change common law, so that a plaintiff could bring legal action only once, regardless of the number of times a defamatory article was downloaded. However, the matter is still receiving and is likely to continue to receive attention, with the call by lawyers in a number of countries for "establishment of international defamation laws" (Towers, 2003).

On the other hand, one country has chosen another more questionable way to cut the Gordian knot. The Central African Republic has defied civil and criminal norms and legislated for the removal of criminal defamation provisions from its penal code, drafting a bill "under which journalists cannot be imprisoned for defaming or slandering a third party"

(International Freedom of Expression Exchange, 2004). For the moment the CAR is alone in its decision and no global changes are likely to ensue in its wake.

The implications of these litigation difficulties do not augur well for the fair reporting of crime and justice on the Internet. “Laws of defamation and contempt place the onus on the journalist to ensure that coverage of a particular case is both fair and accurate” (Pearson, 2004, p. 75). However, where the laws of defamation carry no penalty, how likely are they to be upheld? Similarly, where a news outlet hosts its own website and can publish online with little fear of being called to account, is it likely to limit its coverage in its traditional publications? Furthermore, the subject becomes even more ambiguous where the public are able to contribute their own views to a website with no supervision. What happens to the proverbial “checks and balances”? Allan (2006, p. 136) referred to these: “Given that it is impossible to determine who has posted a particular entry or altered someone else’s, the site is always vulnerable to those seeking to deliberately compromise its integrity as an alternative news source.”

Visible evidence of such misinformation was brought to light recently, when the *Daily Express* and the *Daily Star* were obliged to publish front-page apologies and pay damages worth £550,000 to parents Kate and Gerry McCann for “repeatedly implying that they killed their missing daughter, Madeleine” (Smit, 2008). In their apology, the newspapers referred to their “grossly defamatory allegations”.

This paper now diverts its attention from ethical and legal matters to more traditional reporting issues.

2.4 Traditional reporting issues in the context of new media

It has already been mentioned that traditional reporting issues have changed significantly since the arrival of the Internet. Such elements as speed, amount of detail, publishing space and immediate updating of stories are only a few examples. For instance, another important difference between online news and the traditional press is the layout itself. Conventional newspapers make maximum use of headlines to attract readers; consequently, space seldom remains on the front page for complete stories of any length. Instead, these are continued

elsewhere in the publication, taking advantage of the opportunity to capitalise on yet another headline. Web news pages, on the other hand, have no such need to save space, a commodity that is literally endless in online publishing. Stories can be continued ad infinitum and updated as often as necessary. Its many multimedia options might be one of the Internet's greatest reporting strengths. "Why settle for a 30 second news story on television when the Internet provides that video clip online, plus an in-depth text story and links to more information" (Keck, 2002). However, as a news medium, the Internet is only as strong as the journalists who use it, or know how to use it. Quinn referred to the Internet as "revolutionising journalism" (Quinn, 2001, p. vii) and his book "Newsgathering on the Net" details and explains the tools and techniques of Computer Assisted Reporting (CAR). His research in the late 1990s examined how practising journalists of the time were using the Internet and he concluded that training and a significant period of time would be required before journalists in traditional media would adopt the principles of the Internet in their newsrooms.

The reporting issue referred to most frequently in the literature under review is that of immediacy and "the ability to reach an audience with the latest news 24 hours a day" (Keck, 2002). Traditional media always have been and still are bound by their relevant deadlines: newspapers are limited by their lead and printing deadlines and even a special issue takes some time to produce; television, with the exception of a handful of global channels offering live coverage (and already referred to), is largely confined to scheduled news bulletins; radio has more flexibility with its ability to interrupt transmission and carry breaking news from any location by means of a mobile telephone. However, the Internet demands and depends on immediacy and each online news source vies to be first with breaking news. News can be and is updated literally within minutes, so that deadlines become far less significant.

However, plagiarism should never suffer the same fate. Any individual, including rival journalists, can copy images or text with the click of the mouse. Facts not known to one online news provider can quickly be 'borrowed' from another and the public have not been slow to take advantage of the easy access element of the Internet. Free websites are being abused by public spammers (Kirk, 2008) and others are used as potential victim sources by paedophiles. Ramsook (2007, para. 3) mentioned *Dateline: To Catch A Predator* and wrote "how easy it is for a pedophile/child molester to use the Internet to nab his next underage

victim”. In a journalistic context, *New York Times* reporter Jayson Blair plagiarised copy and the newspaper appointed eight members of staff to examine four years of his work. “The extent to which the reporter’s plagiarism went unnoticed raised a host of unsettling questions concerning journalistic ethics and professionalism” (Lasica, 2003, May 9, para. 2). The transparency of the Web is open to abuse on all fronts, another element to consider in the Internet, journalism and crime link.

Readers’ needs are an integral factor in this connection and Nielsen (1997, p. 14, cited in Keck (2002) put forward some suggestions on how online journalism can be adapted to conform more closely to its readers’ needs. As they scan the Web, as opposed to reading it, more use of “subheadings, highlighted keywords, and bulleted lists” would increase the visibility of information. As mentioned previously, readers read more slowly on the Web, so writing should be more concise; breaking text into short paragraphs makes it easier for readers to follow the story; and the page should be active to keep readers’ attention. All these factors contribute to the difference in appearance of online journalism; this study now seeks to identify other elements present in the impact of the Internet on the profession and its reporting of crime and criminal justice in traditional media.

2.5 Impact of the Internet on journalism

Having examined some of the traditional reporting issues and their likely development in new media, this literature proceeds to other aspects of the impact of the Internet on journalism as practised in the conventional sense. The most dramatic impact may be in the ability of the Internet to offer immediate access to late-breaking news (Pedone, 1998), an example of which might well be the proceedings of a criminal trial. Here, as in times of military conflict, or national or global emergency, online news sources will undoubtedly be the ones most likely to lead with breaking stories. Even radio, with its immediacy, will be heard only by those listeners tuned in at the time. The Internet offers the additional facility of news on demand, whenever the individual chooses to access it. Audiences are unlikely to wait for a conventional publication or news bulletin, when they can obtain immediate updating on the Web. This was confirmed on September 11 2001, when the world followed the historic terrorist attacks in the United States and again with developments in the Iraq war.

In the early days of the war with Iraq, 77 percent of online Americans used the Internet in some connection with the war. They went online to get information about the war, to learn and share differing opinions about the conflict, to send and receive emails about events, to express their views and to offer prayers (Rainie, Fox, & Fallows, 2003, p. 2).

Yet, even in this relatively new medium, technology is developing all the time. In 1998, Lasica raised the issue of online news providers making the change from such facilities as Quick Time video, a lengthy and slow process to download, to streaming video, which gives instant access. Major international news publications offered the new facility and CNN Interactive took it to the extent of including a special service where streaming video and audio became the primary focus, with text acting almost as a caption. Scott Woelfel, then editor in chief of CNN Interactive, predicted: “Within a year or two, when people hear of a news event, they’re going to start thinking, ‘I want to watch that on the Web’.” His prediction was validated less than two years later when surveys revealed that local news viewers looked at their web sites before tuning in to prime time news broadcasts (Dolan, 2000; Palser, 2002b).

One year later, Lasica pointed out another anomaly: online news sites, particularly those of smaller operations, were neglecting the audio possibilities of the Web. Soundbytes were given new prominence with this procedure and could enhance the interpretation and reception of a story on the Web as much as they can on radio. One reporter working with sound files and packaging them in radio news style commented: “When you couple sound with printed text on the computer screen, the effect is very powerful” (cited in Lasica, 1999, p. 66). In that context, the power of that effect is magnified when the subject matter is crime, possibly in one of its more violent guises. The impact of new technology on journalism has also been felt in experiments conducted by a number of television stations channelling their news through the Internet. In one instance, a reporter was locked in his apartment with only a PC with which to receive and transmit information; yet coverage was sufficiently newsworthy for the news slots to maintain their ratings (Larson, 2000). Currently, many reporters send all their stories by e-mail, checking the editorials on the Internet (Dudman, 2000).

An early glimpse of the future of journalism was provided by the then new-look newsroom of Fox News in Manhattan, New York. Paper was conspicuous by its absence and “Work flow is regulated by a piece of software ominously called the ‘integrator’. E-mail is the dominant form of interoffice dialogue” (Houston & Dube, 1999, p. 35). The process was described as “fast and nearly cycle-less, very competitive and, at the same time, repetitive”. Huus (1998) stated that all a reporter needed were a digital recorder, a camera and cell phone. Today, even that list has evolved, as cell phones have the ability to record and transmit both vision and sound, making two of Huus’s three requirements superfluous.

Despite all the development and progress, a note of warning was sounded in some quarters, a warning overtaken by events. The fear was raised by Keck (2002) that newspapers might be over-reacting in their rush to establish themselves on the Internet, perhaps because they were anxious not to be overtaken again as they were by the advent of television. “News media has been on the Web for a few years, but most of it has found neither a language appropriate to the new medium nor a business model that makes online journalism as economically sound as traditional print.” Keck’s reservations have been proved largely groundless, as more and more newspapers have established themselves online and, furthermore, many have cemented their credibility with both their traditional readers and online browsers.

Roger Fidler (1997, p. 23) pointed out: “New media do not arise spontaneously and independently – they emerge gradually from the metamorphosis of old media.” Thus, those media operating in the conventional manner must evolve accordingly, or find themselves edged slowly out of the market. That they have evolved is no longer open to question. Even small local publications have moved with the times in hosting websites and inviting user participation and many of them include hyperlinks to complement their own coverage.

This linking facility is an integral aspect of online news sites: from a main page, a user can link to any number of outside sites, mostly unknown and untested. Who takes responsibility for these? In the case of crime and criminal justice reporting, would these links be beneficial or detrimental to other judicial aspects of the case? Is it now a fact that, when it

comes to the Internet, “no one is in charge”? (Biegel, 2001, cited in Lycans, 2003). This assumption will be challenged in the Discussion chapter of this paper.

From a technological perspective, broadband access has brought with it still further developments, calling for a different approach from the more usual narrowband presentation of news.

The question of how to integrate text, video, audio, photo galleries and other graphic elements into a seamless (package) that doesn’t require the user to load 13 different plug-ins before they can see the story ... is one that I don’t think any of us has solved yet ... We’re sort of like TV in its first five years, where what you saw was a camera aimed at a guy reading the text piece into a microphone (Feaver, cited in Palser, 2002, p. 41).

Such is progress that online journalism has already been referred to as “the old model” (Scherer, 2003, p. 6), with the preference now for those innovations likely to increase profitability. These include subscriptions to news sites and targeted advertising. Online viewers are likely to have to pay for their news, or even make personal information available for the use of advertisers. Scherer (2003) was of the opinion that print journalism was fast being superseded by Web news sites, pointing out that newspaper readers under the age of 30 have already been shown to have reduced their print readership in favour of the same news obtainable online.

A similar point of view was expressed by John Cook (2004, March 15), who referred to the shrinking audience for traditional news outlets and quoted findings from a study *The State of the News Media 2004* which revealed that only online journalism and ethnic or alternative sources of news were seeing audience growth. In 2002, Grant reported the Australian Broadcasting Corporation was already offering a full range of its multimedia facilities, incorporating downloadable videos, radio bulletins and news-on-demand video news bulletins. Allan (2006) posited that while television news achieved legitimacy with its reporting on the assassination and funeral of President John F Kennedy, online news did the same with its coverage of the death of Princess Diana. “*CNN.com* apparently attracted some

4.3 million page views on the Sunday” (Allan, 2006, p. 27), “What the web has done is allowed talented writers to ... write directly to an audience” (Sullivan, cited in Allan, 2006, p. 88). Further evolution includes “Digital Storytelling” (Allan, 2006, p. 181), where Internet users upload their own short films. Referring to the strides made by the BBC in online journalism, Jeff Jarvis of online site *BuzzMachine* (cited in Allan, 2006, p. 182) prophesied:

By teaching those who care to learn, the BBC is building an army of news-gatherers in the world. One of them could be there when the huge story happens. One of them will be inspired to go out and report a story. And that video will end up on the air – on the BBC or the Internet or elsewhere – and we’re all better informed

This practice is now commonplace on such satellite television channels as BBC, Sky News, Fox News and CNN, who all make regular use of viewers’ contributions and home-made videos or film. Traditional television also makes use of viewers’ contributions in this way, both in newscasts and entertainment programmes.

However, that development has not been the end of the road. Still another challenge appeared: “the wireless Web and handheld mobile devices” (Palser, 2002, p. 42), technical developments with almost unlimited potential to carry news, information and entertainment of every kind. This further example of new technology is undoubtedly worth and is sure to attract much research and further study. Moreover, technology allows readers to react immediately to online news, through related and linked pages or the “contact us” equivalent of letters to the editor. Nowhere has this been more evident than in the reporting of crime and criminal justice, where many more perspectives are presented in online journalism than in the conventional media, allowing broader coverage and the representation of crime from a number of different angles.

2.6 The Internet and reporting of crime and justice

Clearly, the Internet and technology have had and continue to have a significant impact on the news media, but how much influence is wielded over the reporting of crime and criminal justice? Scholars have identified at least five specific inputs: speed of dissemination,

potential for community policing, increased depth of coverage, proliferation of web pages devoted solely to crime and potential for participation in the reporting process.

As a reporting medium, the Internet can be used to spread information quickly and effectively and to cast a wide net for leads (Surette, 1998, p.232). The London bombings on July 7, 2005 were a case in point. Four male suicide bombers killed 52 people and themselves when they detonated explosives on three underground trains and a bus in central London. “In 56 minutes,” an Associated Press (AP) reporter observed on 7 July, “a city fresh from a night of Olympic celebrations was enveloped in eerie, blood-soaked quiet” (Allan, 2006, p. 144). The BBC was in the forefront of those news organisations reporting the event on the Internet and other online newspapers were quick to follow suit. “First-hand accounts from eyewitnesses” (Allan, 2006, p. 146) were posted on news websites alongside journalists’ reports and members of the public were asked on the BBC news site: “Did you witness the terrorist attacks in London? How have the explosions affected you?” These questions elicited a plethora of viewers’ accounts and images within minutes, remaining downloadable at http://news.bbc.co.uk/1/hi/in_depth/uk/2005/london_explosions/default.stm. “In the hours to follow, the BBC received more than 1000 pictures, 20 pieces of amateur video, 4000 text messages and around 20,000 e-mails” (Allan, 2006, p. 158). “The *Guardian Unlimited* put out a similar request on its news blog and, in the first day in 770,000 page views on its site, the equivalent of 213 pages per second” (Allan, 2006, p. 149). Allan (2006, p. 152) was unequivocal in attributing responsibility for the news dissemination: “This remarkable source of reportage, where ordinary citizens were able to bear witness, was made possible by the Internet”, surely undeniable evidence of the media, crime and Internet intersection.

The event was also the first of many major news stories to make extensive use of photographs and film taken on individuals’ mobile telephones. Richard Oliver of the *Evening Standard* (cited in Allan, 2006, p. 154) said at the time it showed “how this technology can transform the newsgathering process”. Part of the transformation has been that today “every citizen is a reporter”, the slogan of The Korean *OhMyNews* website (Flew, 2007). Bowman and Willis, (2003, p. 9, cited in Flew, 2007. p. 4) defined participatory journalism as:

The act of a citizen, or group of citizens, playing an active role in the process of collecting, reporting, analysing and disseminating news and information. The intent of this participation is to provide independent, reliable, accurate, wide-ranging and relevant information that a democracy requires.

In a Radio Deutsche Welle interview, Michael Rediske (2008) from the German section of Reporters without Borders spoke of the ease with which anyone could “start a blog and easily send and receive information beyond national borders”. In 2005, Amy Dorsett, reporting on a workshop in San Antonio, said speakers had noted that “blogs have succeeded because readers crave information that newspapers consider too unsophisticated to cover, from high school sports to obituaries” (Dorsett, 2005, October 8). In a study investigating how citizen journalists actually obtained their news and produced their stories, Zvi Reich of Ben Gurion University of the Negev in Israel found that, in comparison with their traditional media counterparts, citizen journalists “rely less on human sources ... and the human sources that they do use are unique” (Reich, 2008, p. 743). The study found that citizen reporters produced original stories and often took their own film, as mentioned above with coverage of the London bombings in 2005 and these citizen reporters are making clear their demand for space on news websites to express their own views.

Nonetheless, Bucy (2004, cited in Deuze, Bruns, & Neuberger, 2007, p. 324) contended that, even though people might say they preferred interactivity on websites, “when confronted with increasingly elaborate interactive options” they appeared to be confused and found it more difficult to understand the stories. Deuze (2001a) claimed many journalists still saw online journalism as “something ‘outside’ of journalism”. Neither did this outpouring of eye-witness accounts and images come without its problems, chief of which was verification. While Brew (2007, cited in Zurawik, 2007, October 27), director of *msnbc.com* reported a “new level of ‘authenticity’” on the channel’s website and acknowledged that viewers’ visuals offered a previously unseen perspective on news events, other broadcasters have not been so accepting. News outlets qualified the use of one particular image with their own careful caveats, because of possible digital manipulation, ownership of the publishing rights and ethical considerations; and a *Times Online* journalist reported that a number of the tips

received proved to be without foundation in fact (Allan, 2006). This could be the reason why broadcasters tend to create specific programmes for their user-generated videos. Palser (2002, p. 41), writing about amateur video in newscasters' transmission, said TV broadcasters "acknowledge the universe of entertaining and important content that flourishes on the Web without any help from mass media". She cited CNN's "powerful integration" of viewers' content and the channel's television broadcasts and compared this to the more usual practice of confining user-generated content to specific separate sections.

News outlets are not alone in their use of the Internet for seeking and publishing information related to crime and criminal justice. Many police departments have created their own web sites to help with the identification of victims and criminals. The publication of its Most Wanted list online helped the FBI to arrest its first most-wanted fugitive after the appearance of the criminal's photograph on the Internet (Surette, 1998). As long ago as 1998, Professor Cecil Greek, at a presentation given at the University of the West Indies, listed among opportunities made possible by the Internet the ability of criminal justice agencies to include community policing: "The Internet increasingly allows reporters to look over each other's shoulders by providing online access to original sources for stories, for example in criminal investigations ..." (Greek, 1998).

Furthermore, this online reporting of crime and criminal justice gives unprecedented access to peripheral information and extra depth of coverage. This was exemplified in reporting of the JonBenet Ramsey murder in Boulder, Colorado. Online readers obtained not only the kind of breaking and analytical reportage found in newspapers and on television, but were also able to see the autopsy report, the search warrants, the ransom note and a mock-up of the child's body when it was found. One website (<http://www.acandyrose.com>) showed graphic images of the autopsy, the family, the funeral and the family's home in Boulder, Colorado; and Weaver (2002, p. 66) cited Cunningham's account of readers being able to rummage through the 'House of Clues', where an interactive diagram of the Ramsey's Colorado home takes the audience through all the relevant evidence. In addition, this kind of extensive coverage is enhanced by peer contact, as journalists covering sensational or well-known cases make their findings available to each other (Weaver, 2003).

This has been made much easier with the proliferation of web pages devoted specifically to crime. *Crime Spider* is just one example, offering the complete gamut of crime and justice sites categorised from Arson to Weird or Bizarre. With the help of suggested links, readers can track details of any criminal case, from white collar crime to murder. Another option, *crimezzz.net*, focuses exclusively on serial killers and its Australian examples include serial killers Peter Dupas and John Justin Bunting and underworld figure Carl Williams (Wetsch, 1995-2006). Links lead to statistics categorised by date and country, with archives dating back to 2003. This kind of information could not be obtained in such detail or with such ease from any sector of the traditional media, although the accuracy of this profusion of data remains questionable.

An example of how these pages can affect the reporting of crime and justice was found in following the link from Crime News to the case of Laci Peterson, a pregnant woman murdered in California, at the time when potential jurors were being screened prior to the commencement of the trial of her husband, accused of the murder. This page included biographical details of people associated with the case, evidence and related transcripts and documents, timeline of the crime investigation and trial, bibliography of sources of information on the case, a list of all links from the Official to the Speculative and a selection of ‘frequently asked questions’ (Appendix 2). This kind of information could not be obtained in such detail or with such ease from any sector of the traditional media. In the same way, *APBnews.com*, a crime news Web site has a staff of ‘real reporters and editors’ who report only on crime and justice

The O.J. Simpson trial was “also the first to be fully discussed and diagnosed on the Internet” (Greek, 1996). People who followed the trial did so with the aid of every online facility available: e-mail, chat rooms, news groups and Web pages. CNN, as well as various newspapers, published pages of information on the trial, Court TV broadcast the entire trial online and created an O.J. web site; thousands of ordinary people created their own web sites, where the case and the subsequent verdict were discussed openly, with information traded at will. This interactivity continues now, long after the civil trial produced a guilty verdict and O.J. Simpson himself moved to Florida and doubtless continues to exemplify the media echoes effect referred to earlier in this chapter. In addition, all three cases used for

demonstration in Chapter 5 of this study provide further proof of this extra depth coverage made possible by the Internet.

Audiences do not get this kind of detail or coverage from traditional media, nor are they offered the same degree of interactivity. Although publicity engendered by traditional media can elevate selected crimes to high-profile status (Muraskin & Domash, 2007), the cases of O.J. Simpson, Madeleine McCann, Bradley John Murdoch and Schapelle Corby all demonstrate the additional impact of the Internet in raising the profile of the key players to celebrity or high-profile status and each of the case studies in Chapter 5 is representative of this classification. Chancer (2005, p. 5) theorised that certain high-profile crime cases could be defined as “provoking assaults” or becoming intrinsically linked with the solution to social issues and some of her comments are included in the analysis of demonstration case studies in Chapter 5 of this thesis. A perhaps unexpected but interesting development has been the opportunity online crime reporting has given to would-be detectives to test their mettle. Comparing the Internet participation to gaming, Greek (n.d.) stated: “The O.J. trial became a medium for many to test their detective or legal skills against other gamers.”

2.7 Summary and conclusion

This literature review has accessed a comprehensive amount of research into crime reporting, traditional media and the Internet, although there is a notable absence of available work dealing specifically with the focus of this thesis - the media, crime and Internet nexus. The relationship between traditional and online journalism is the subject of much of the literature reviewed and the reporting of crime and criminal justice is well represented. The review of existing literature has addressed at some length news values and their definitions and the ways in which the Internet might have shifted their concepts. It has also highlighted the many facilities of the Internet and how they have influenced reporting in traditional media, particularly in the fields of research and access to information.

Researchers have devoted attention to high-profile or celebrity crime cases, a topic particularly pertinent to this study and, with the assistance of the Internet, becoming more frequent. In addition, this review of the literature has covered the question of why the media

report crime and criminal justice, as well as the topics of social responsibility, profitability and deterrence. It has also raised the key issues of regulation, the difficulties of observing ethical and legal responsibilities and the prime consideration of privacy. In some instances, available sources offer scant or shallow investigation and all these topics will be addressed more comprehensively in later chapters of this thesis.

The following chapter, Methodology, explains the processes of investigation used to research this study, the design of the research and its collection and analysis of data.

CHAPTER 3: METHODOLOGY

3.0 Introduction

Marshall and Rossman (1989) suggested that, in order to be significant, worthwhile research should uncover new information, or offer new explanations. The literature review has revealed an increasing awareness of the influence of the Internet on the profession of journalism and the reporting process. However, the same attention has not been paid to the specific area covered by the research question of this study, i.e., how the Internet has impacted upon the reporting of crime and criminal justice. Although a number of academic studies and publications refer to reporting on the Internet, the gap exists in the comparison between Internet reporting and traditional reporting of crime and criminal justice and the effect the Internet itself has on issues traditionally associated with such reportage: the Internet, journalism and crime nexus. Adrian Holliday (2002, p. ix) stated: “An important part of the accountability of qualitative research is setting what one does against what has been done before.”

Several reasons suggest that differences exist between reports in traditional and online media and some areas of difference highlighted by the literature review were jurisdiction, news values, contempt, defamation, ethical issues and new technology. In addition, there appears to be a measure of conflict between the media themselves, expressed as dissatisfaction on the part of digital media, who accuse traditional media of bias and suggest the need for more independent reporting (Quince, 2004). This argument contributes to the discussion of agenda-setting and framing in Chapter 6 of this study. This methodology now explains the steps taken in collection and analysis of the data obtained for this thesis. Firstly, it investigates classification systems of websites and focuses on selected sites pertaining to crime, to address the preliminary research question relating to the way in which crime is reported on the Internet. Secondly, it discusses the principle of elite interviewing and explains why it was chosen to address the major research question, investigating how the Internet has affected the reporting of crime and criminal justice in traditional media. Thirdly, it makes mention of the analysis of media coverage of three high-profile criminal cases, to complete the methodological triangulation employed in this thesis. The first section establishes the steps taken in the research process.

PART ONE – RESEARCH PROCESS

3.1 Research process

The principal objective of this study is to investigate and examine the way in which the Internet has affected the reporting of crime and criminal justice in traditional media. It draws on data obtained from existing literature, interviews with selected working journalists and editors and evidence from three case studies. This section of the methodology sets out to explain the research process. The major research question was identified after it was noticed that more and more news sites were appearing on the Internet and that many of these were web editions of traditional news outlets. In addition, simultaneous research into the ways in which the media reported crime and criminal justice revealed a plethora of crime-related websites. A natural progression was to query whether journalists in the traditional media were sensitive to the apparent advantages and lack of restrictions enjoyed by their Internet counterparts and whether these had influenced their own reporting in any way.

Data of this nature were not readily available, as academic searches produced little evidence relating directly to this narrow topic. The only way to obtain this information was to seek it from practising journalists themselves, a large number of whom had entered their profession many years before the advent of the Internet. As a result, they, too, had developed preconceptions about the credibility and competitive edge of their web rivals. Like Grabosky and Wilson (1989, p. 4), the goal was to “interview as wide a cross-section of Australian working journalists as possible”, but the priority of this qualitative research was seeking not large numbers of respondents, but shades of meaning and articulated insights from journalists’ and editors’ own words.

Informative quantitative data regarding the relationship between journalists and the Internet had already been produced. Green (1994, p. 221) reported that US journalists were “making good use of the Internet”, although Australian journalists appeared to be “largely unaware of database and discussion group possibilities”. However, Quinn’s 1997 study reported on the uptake of computer-assisted reporting by Australian journalists and Garrison’s research in 1998 examined how newspapers in the United States then used the Internet as a research tool (Quinn, 1997). Since that time, use of the Internet for

newsgathering purposes has become more widespread and this thesis aims to give journalists the opportunity to pinpoint their own interpretation of the reporting of crime and criminal justice online and in traditional media. Qualitative approaches using interviews have proved to be a rich source of the understanding this thesis seeks to achieve and the design of this research process allows the “phenomenon of interest to unfold naturally” (Patton, 2001, p. 39, cited in Golafshani, 2003, p. 600). Furthermore, the method for collecting such data was restricted by geographical, accessibility, resource and availability limitations. Consequently, the process of elite interviewing, described elsewhere in this section, was selected as the most appropriate form of data collection.

The research process for this study was divided into three distinct phases:

- Quantitative and qualitative analysis of web crime sites, carried out prior to the interviewing exercise, to contextualise the interview responses, as well as to contribute towards the selection of appropriate material for interview questions.
- Elite interviewing of crime reporters and editors in traditional and new media, to obtain their comments on the ways in which the Internet had influenced their reporting of crime and criminal justice.
- Analysis of the media coverage of three ‘celebrity-status’ highly publicised crime stories, to demonstrate the interactivity and interaction between traditional and online reporting.

3.2 Steps addressing the study

The “**guiding hypothesis**” (Marshall & Rossman, 1989, p. 43) of this study was that certain key journalistic elements changed when crime and justice were reported on the Internet. However, because of the exploratory nature of this study and its use of qualitative methodology, it had no ‘precise hypotheses’. The intent was to discover and explore the answers to the research questions, concurring with Holliday (2002, p. 35), who explained: “Producing, rather than testing hypotheses is more often the outcome of qualitative research.”

Identifying how the Internet had influenced the reporting of crime and criminal justice called for exploratory monitoring and analysis of such reporting on the Internet and through the channels of other, conventional media, to allow a comparison to be made and key variables to be identified and confirmed. This section of the study was conducted through random monitoring of traditional media and closer analysis of crime-related websites. The dependent variables were initially those mentioned above as revealed in the literature review, namely jurisdiction, news values, contempt, defamation, ethical issues and new technology. Units of analysis were the selected examples of the different media, with the units of observation the reports themselves. The researcher undertook the following steps in addressing this study:

1. Investigated and analysed existing literature in the form of a literature review. This step was essential in contextualising the research question in existing practice and theory. It also enabled the researcher to determine how much, if any, research had already been conducted on this topic. The literature review conducted at this initial phase of research was later augmented with further works that had since come to hand. Independent variables were identified.
2. Investigated and classified some of the myriad crime sites present on the Internet, sites that continue to grow in number daily and represent literally millions of entries.
3. Searched for appropriate interviewees, through both personal contacts and Internet links, as well as *Margaret Gee's Australian Media Guide* online; identified potential interviewees and noted contact details.
4. Approached selected potential respondents for permission to interview them. The research method was the gathering and analysing of information received from an elite selection of reporters and editors, with practical experience and knowledge of reporting practice and use of the Internet.

5. Developed a question schedule, trialled initially through a pilot study; obtained data in response to a loosely constructed set of question topics, allowing interviewees to make voluntary comments and the interviewer to ask additional strategic questions.
6. Conducted a pilot study with four interviewees.
7. Digitally recorded and transcribed the interviews. Coded the resultant data and fed them into the qualitative software database N6; examined the information obtained in relation to relevant data gleaned from the literature review, both initially and subsequently and adapted the question schedule where necessary.
8. Conducted interviews for the main project with the selected working journalists and editors and transcribed the interviews.
9. Coded data and imported it into the N6 software analysis program.
10. Continued with further coding and analysis of data.
11. Analysed results and drew conclusions.
12. Compiled and compared data for three high-profile demonstration case studies.

As the steps above are listed only briefly, some explanation of three of the steps is required.

Step 2 addressed the preliminary research question and the decision (already described earlier in the chapter) to conduct a basic random but reasonably comprehensive web search, using search engines likely to return the largest and most varied selection of results. Then an appropriate keyword ‘crime’ was chosen for the search and fed into the search box of *MetaCrawler.com*, the search engine selected as a pilot site for the start of the investigation.

The sampling method was intended to provide fair representation across a spectrum of predetermined criteria, including the main media sectors of TV, radio, print and online; the key sectors of commercial media and public broadcasting; varied levels of experience of respondents; a mix of genders of respondents; representation of metropolitan, regional and national media; and a reasonable spread of representation throughout Australia. Emphasis was on quality rather than quantity of interviews conducted, which totalled 25, a not insubstantial sample compared with many qualitative studies. The sample frame was developed according to the following criteria:

Print - National

Metropolitan

Regional

Radio - Public service broadcaster – national

Commercial radio – regional

News agency – national

Television - Public service broadcaster

Commercial television

Magazine/current affairs program – national

Magazine/current affairs program – regional

News reporter

News Agency – international

Online newspaper site – *theage.com.au*

Steps 7 and 8 concerned interviews with selected respondents. Appointments were made for the initial interviews and, with the exception of a single face-to face-interview, these were recorded by telephone on a digital voice recorder. In some instances, technical problems prevented the recording of the complete interview and, where this happened, respondents were emailed to confirm their missing responses. The interviews were then

transcribed into Microsoft Word, from where they were transformed into a plain text format ready for importing and coding as nodes into the N6 qualitative software analysis program.

At a later date, preliminary purposive interviews were conducted with a further small selection of respondents, with particular reference to the case studies in Chapter 7 of this study. Some data from these interviews were included with the results of the initial elite interviewing process.

3.3 QSR N6 software for qualitative data analysis

This method of data analysis was selected after concluding a computer software program would be a more efficient and speedy method of storing and retrieving data than keeping hard copies of the research findings (Huberman & Miles, 2002). Because of the amount of data collected and their diverse nature, the decision was taken to use the QSR software program, Non-numerical Unstructured Data Indexing, Searching and Theorising N6 (formerly known as NUD*IST). The program allowed data to be indexed, processed and organised through two main systems, facilitating the development of a coding scheme and retrieval of the results (Wang, 1998; Woods, Priest & Roberts, 2002). Documents were integrated into the database and processed for indexing, in a tree structure linking categories and sub-categories. The tree-structuring format had no size limit and could be rearranged according to the evolving needs of the research project (Nursing-informatics.com, 2003). Results could be stored with memoranda and it was determined that this would be the most practical method to employ. Since the commencement of this research, N6 has been superseded by the updated version, NVivo; however, for practical purposes it was not considered advantageous to transfer this research to the new system at such a late stage in the research process.

Steps 9 and 10 refer to the coding process. An initial system of open coding (Strauss & Corbin, 1990, p 72) was designed to define categories that identified and examined the points of difference in the research; however, as the findings of the observation process emerged, it became necessary to adjust and refine these categories. Cross-coding was also employed to yield a richer selection of data.

Similarly, it became necessary to refine the method of importing the transcribed material, initially carried out on a paragraph-by-paragraph basis. However, the results proved too cumbersome and multi-faceted for satisfactory analysis, so the coding exercise was revisited and a second analysis conducted using a line-by-line approach. This approach was adopted for the results of the pilot study.

3.4 Pilot Study

Lewis-Beck (1994, p. 32) recommended the pretesting of sampling in a pilot study prior to finalising collection of data. He continued (p. 33): “If the researcher intends to collect the final data personally, he or she should also do the pretesting and pilot work.” An integral part of this research process was a pilot study, a “small scale version[s], or trial run[s], done in preparation for the major study” (van Teijlingen & Hundley, 2001). This pilot study was used to pretest the suitability of the key variables, as well as the appropriateness of the questions for the interview process.

Because a pilot study should be a smaller, but exact replica of the major study, a small number of respondents was selected as a representative ‘elite’ group for interviewing: Tracy Bowden (*7.30 Report*, Sydney), Tony Bartlett (*Sea FM Gold Coast*), Simon Johanson (*theage.com.au*) and Tony Wilson (*Gold Coast Bulletin*). Results from these preliminary interviews demonstrated that the instrument was largely achieving its objectives, but also needed some revision of one or two questions and the elimination of one question relating more to theory than to practice. The selection of questions was modified before the remaining interviews were conducted but, because the pilot study had proved both relevant and successful, it was decided to include the data obtained from these interviews in the main project, interviews for which were conducted either face-to-face, where possible, or by telephone. All interviews were recorded and transcribed and their content coded and entered into the software program.

To re-cap, although a minor element of quantitative analysis was adopted in the preliminary step of this research process classifying categories of crime websites, qualitative analysis was favoured for this section, namely the elite interviewing process, discussed further in Section 3.17.1 of this chapter.

3.5 Criteria

The criteria for the research process were determined with the objective of offering the best overall results from an elite number and selection of respondents. By seeking to cover a wide diversity of outlets rather than a large number of respondents, the researcher hoped to obtain an up-to-date and honest spectrum of current media reaction to the way in which the Internet might have influenced traditional reporting of crime and criminal justice. The high level of Internet usage across the traditional media was apparent from the monitoring of radio, television and print outlets.

3.5.1 Print

The oldest media sector is still regarded by many as the most influential and is still largely the most typical association made with the word 'media'. By virtue of the fact that this arm of the media had been so firmly established in its traditional form for so long, the impact made on it by the Internet formed an integral part of this study. Resistance to using the Internet still persists in a number of traditional outlets, although most print publications now include their own online edition in their publishing options. The fact that this in itself is the beginning of another media tradition is a significant reason to include print in the research. Then again, a distinction must be made between the metropolitan press and its regional or community counterpart. News values differ according to the target audience in each case and it was considered significant to this study to determine whether and how news values might have changed since the advent of or as a result of the Internet. Furthermore, it was important to establish to what extent this sector of the media made use of the Internet for purposes of research and information.

3.5.2 Radio

Despite the technological development of its media rivals, radio remains the primary source of news for many people (Pearson, Brand, Archbold & Rane, 2001). In addition, it has the ability to update its stories with less delay and technical complexity than other electronic media. It addresses a diverse audience, particularly in the rural areas, where it is often the only source of up-to-date – sometimes any – news. Radio is also an invaluable arm of the media for the visually impaired members of society, who would not be in a position to take advantage of print and would be able to access only the sound from television, or the

Internet. For these reasons, it was imperative to include radio in this study and to try to include in its results the findings from both the primary public service broadcaster in Australia, the Australia Broadcasting Corporation and at least one representative of commercial radio. It was expected results of this research would show not only whether radio reporting had been influenced by the Internet, but also whether this sector of the media regarded the Internet as a research tool for crime reporting.

3.5.3 Television

Television with its visual qualities bears perhaps the closest resemblance to the Internet and the question arose as to whether this similarity was viewed in a competitive or complementary light. Some television news footage is available on demand on the Internet as streaming video, via sites such as YouTube and media outlets' own sites, so it was vital that the views of television producers and journalists should be sought for this study. Moreover, current affairs programs are able to carry crime stories in greater detail than news bulletins, a factor which made it important to include in this research journalists from these outlets, too. Again, to obtain a wider representation of opinion, the action chosen was to canvass both the Australia Broadcasting Corporation and commercial television channels.

3.5.4 Online news sites

In view of the wording of the major research question – **In what ways does the Internet influence the reporting of crime and criminal justice in traditional media?** – it was expected that online media would not address the issue from the same perspective as traditional media. Being already in the Internet arena and at the opposite end of the influencing effects, they were likely to be more distant from the reporting process in traditional media, but could nevertheless provide a basis for comparison when the results of the interviewing process were analysed. Where traditional outlets had their own websites, these were noted. However, only one online news site was included on its own merit, represented by an editor who was also experienced in print. This enabled some major differences between traditional and new media to be identified and explored.

3.5.5 News agency

As with the online news site, the news agencies represented a slightly different lateral approach to the research question, but one considered significant enough to include. Also, although the international reporter interviewed was based in Washington, she had previously worked for a commercial television channel in Australia, so was able to offer some valuable insight into the topics under discussion.

3.5.6 Geographical Spread

Although a reasonable spread of interviewees was sought for the purposes of this research, it was found that a higher representation emerged of interviewees from the eastern seaboard and from Queensland. This was largely due to convenience and to the candidate's contact base. However, it also reflected the fact that a disproportionate number of media outlets exist in Sydney, Melbourne and Brisbane.

3.6 Interviewees

The researcher was aware of confidentiality issues that could possibly arise from the interviewing process, so raised this question with the respondents at the outset. It was important that, as far as possible, each interviewee should agree to the mention, if necessary, of their name and the name of their news outlet. Consequently, this was the first question posed to each correspondent and only one asked to remain anonymous. The following people were selected and interviewed:

Table 3.1 Elite interviewees

Media sector	Interviewee Name	Gender	Organisation (position)	Location
Commercial Radio	John Knox	Male	<i>97.3FM</i>	Brisbane
	Tony Bartlett	Male	<i>Sea FM</i> Gold Coast	Gold Coast

Media sector	Interviewee Name	Gender	Organisation (position)	Location
Public Radio	Broadcast reporter	Male	<i>Radio</i> (Journalist)	Brisbane
	Kevin Naughton	Male	ABC	Adelaide
Public Television	Tracy Bowden	Female	7:30 Report (Journalist)	Sydney
	Peter McCutcheon	Male	7:30 Report	Brisbane
Metro Newspaper	Michael Corkill	Male	<i>Courier-Mail</i>	Brisbane
	Paula Doneman	Female	<i>Courier-Mail</i>	Brisbane
	Tony Wilson	Male	<i>Gold Coast Bulletin</i>	Gold Coast
	Garry Bailey	Male	<i>The Mercury & Sunday Tasmanian</i>	Hobart
	Edmund Tadros	Male	<i>Sydney Morning Herald</i>	Sydney
	Neil Mercer	Male	<i>Sydney Morning Herald</i>	Sydney
Regional Newspaper	Peter Foley	Male	<i>Ipswich Times</i>	Ipswich
	Therese Ryan	Female	<i>Gloucester (Editor)</i>	Gloucester
Online news site	Simon Johanson	Male	<i>theage.com.au</i> (Editor)	Melbourne
Weekly Metro Newspaper	Jim Kelly	Male	<i>Sunday Times</i>	Perth

Media sector	Interviewee Name	Gender	Organisation (position)	Location
News Agency	Andrea Clarke	Female	Formerly of <i>Ten News</i>	Washington
	David Killick	Male	AAP	Melbourne
	Murray Cox	Male	AAP (Radio)	Melbourne
Commercial Television	Deborah Knight	Female	Ten News	Sydney
	Graeme Butler	Male	Today Tonight Channel 7	Perth

In addition, follow-up interviews were conducted with selected journalists on the original list and purposive interviews were conducted for the case studies in Chapter 7 of this paper with Chris Smyth (Murdoch University), Gail Phillips (Murdoch University), Sue Turnbull (La Trobe University), as well as crime author Robin Bowles.

The objective of the selection process was to include a diverse range of media representatives, namely print, radio and television, both regional and national. Contact names were researched through *Margaret Gee's Australian Media Guide* online and the researcher's own contact system, or through personal recommendation by the supervisors of this project. The initial interviews were conducted over 10 months, as the nature of the interviewees' profession meant those people approached had busy schedules and were not always readily available for interview. Subsequent interviews were conducted some two years later. The roles of the interviewees included editors, journalists, reporters, academics and authors. The final interviewee selection represented a combination of strategy and good fortune, in that some of the interviewees originally targeted were unavailable or unwilling to cooperate on this occasion, whereas others were identified and targeted through candidate tasks.

Ethical protocols were followed as required and approved by the Bond University Human Research Ethics Committee in July 2005. All initial interviews were conducted by telephone, with the exception of Tony Wilson of the *Gold Coast Bulletin*, who was interviewed face-to-face, primarily a consideration of proximity and convenience for both parties. Telephone calls were recorded digitally and participants were made aware of the recording of the calls. As mentioned previously, each participant was also asked if they were willing to have their name and publication/broadcast outlet included in the final report and their wishes have been respected. With few exceptions, interviews were conducted during normal business hours by the researcher, who also developed the line of questioning. Most interviews lasted approximately 15 – 20 minutes, with a small number extending to 30 minutes or longer.

All those people interviewed participated willingly in the project and, because the nature of the research was qualitative and the conversations differed marginally between participants, some variations in responses were received. The qualitative interviewing process was intended to show whether the Internet had influenced the reporting of crime and criminal justice in the traditional media and, if so, how that influence was evident. In the course of investigating this research question, a great deal of other information was acquired which, although not necessarily relevant to this particular interviewing process, is deserving of further exploration at a later date.

Because the answer to the research question depended heavily on practical experience of the interviewees, no hypothetical questions were posed during the research interviews. Similarly, most questions were open-ended in order to elicit the greatest amount of data.

3.7 Research format

Initially, this researcher adopted an area of investigation based predominantly on topics in subject headings in the seminal work studied for the literature review: *Representing Order: Crime, Law and Justice in the News Media* (Ericson et al, 1991). This highly acclaimed work offered a theoretical framework for approaching the methodology, given that it was the first substantial three-volume work on the subject in the pre-Internet era. Useful subject headings from the book which guided the selection of interview questions detailed later in this chapter allowed focus on specific related issues in seeking and interpreting the data obtained.

However, the final format of the study was dictated by the results emerging from the quantitative and qualitative analyses, as well as the interviews.

In addition, this publication is not the only work published in this area. The literature review demonstrates the considerable contribution made by other scholars in the field and, bearing in mind the scholars' work emanating from the literature review, this researcher devised the following interview topics:

- Technology
- News values
- Interactivity
- Influence of Internet on story selection
- Reasons for including crime in overall coverage
- Claims-makers
- Accuracy and verification
- Research and resources
- Audience differences
- Production and life cycle
- Writing style
- Conflict
- Social responsibility
- Legal issues
- Jurisdiction
- Ethics

The main reason for adapting or changing the nomenclature of the seminal work was the significance of including reference to the Internet in the body of the topics discussed.

3.8 Storage and retrieval of data

Data were stored both electronically and in hard copy, although technical complications resulted in the loss of some of the original recorded material. The researcher was responsible

for the transcription of the recorded interviews and the subsequent feeding into the N6 software program.

3.9 Qualitative Reliability and Validity

Golafshani (2003, p. 507) suggested that reliability and validity should be “reconsidered in the qualitative research paradigm”, stating that “the credibility of a qualitative research depends on the effort and ability of the researcher”. He also claimed that triangulation was “typically a strategy (test) for improving the validity and reliability of research or evaluation of findings” (Golafshani, 2003, p. 603), a view endorsed by Patton (2002), but countered by Barbour (1998, cited in Golafshani, 2003, p. 603), who stated “mixing methods within one paradigm” was “problematic”.

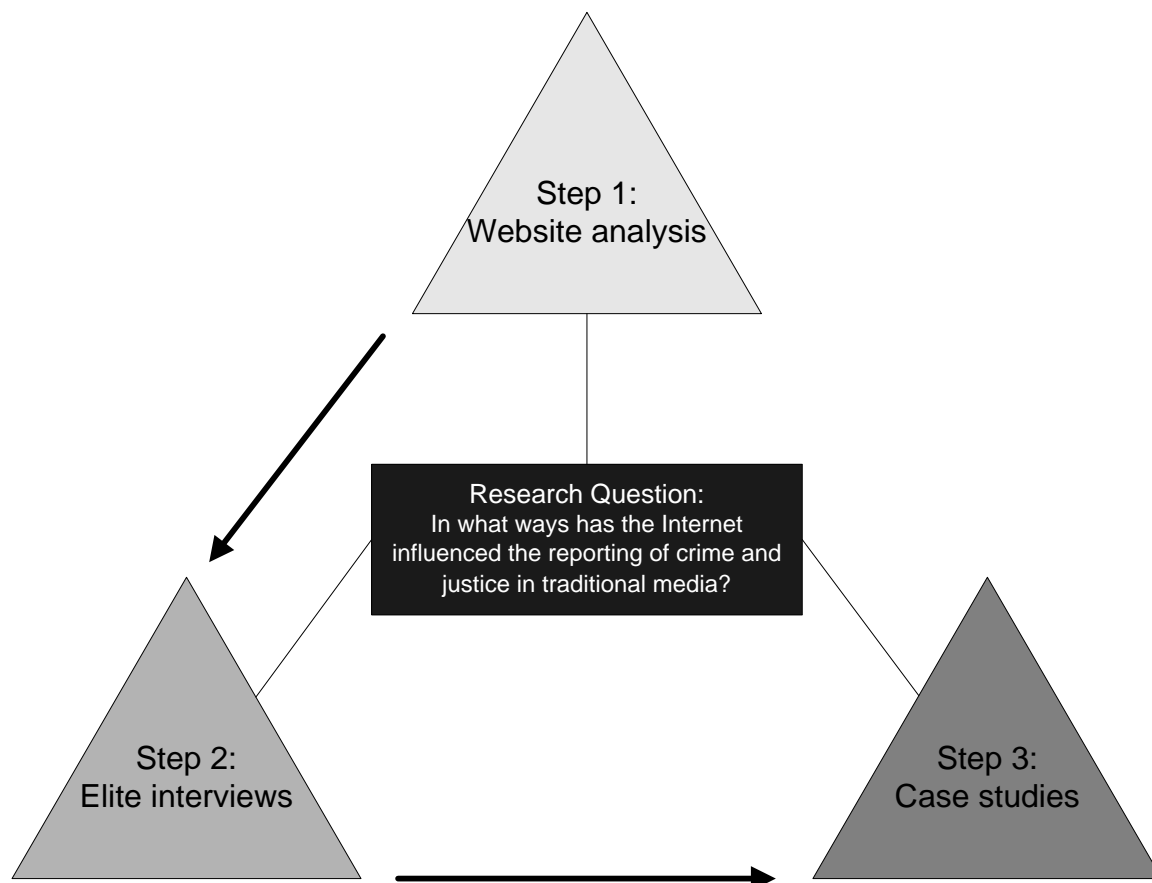


Figure 3.1: Three steps of triangulated approach to research

Nonetheless, positive results were achieved by the mixed methods employed in this research, as their combined findings proved to be a satisfactory vehicle for allowing the findings to be evaluated. The preliminary website analysis provided a framework of reference for identifying and evaluating crime reporting on the Internet and accounting for this framework in consideration of the interviewee responses; the elite interviewing process enabled an understanding of the views of practising journalists in both forms of the media; and the demonstration case studies served to exemplify the findings of the review of literature and interview responses.

3.10 Limitations

Limitations in this study derived primarily from the rapid technological developments of the Internet, making it difficult to keep up to date with research over any length of time and to conduct analysis in the most current context. Frequently, instances were identified in the literature and related to interviewee responses for significance, only to be superseded by further technological development later in the research process. Furthermore, timing of the project proved to be a problem area, as national elections were imminent at the time the interviews took place and they naturally took priority in the schedules of practising journalists and editors.

To a less significant degree, limitations were imposed by issues such as location, accessibility and availability, the latter two applying to designated elites unable to proceed with the interviews. Location was an added consideration as, despite the technological advantages of telephone and e-mail, it was not always possible to make personal contact with people some distance away.

PART TWO – RESEARCH FRAMEWORK

3.11 Research Design

This paper adopted a triangulated approach to investigating the major and preliminary questions, taking in one preliminary and two substantive stages, beginning with an analysis to inform the questions for a series of elite interviews leading to case studies of three major

crimes as reported in both the Internet and traditional media (see Figure 3.1). This section of the methodology describes each of these processes and the reasoning behind their selection.

Step 1: The major research question underpinning this study is heavily dependent on Internet reporting of crime and criminal justice. Therefore, it was both logical and imperative to investigate such reporting on the Internet and to explore the many websites devoted to the topic. The first step in accomplishing this was to search for a classification system, to determine the range of the material available and types of websites accessible to the average web-browser. Without this, it would not have been possible to determine the frequency, content or organisation of crime-related websites, nor to design an appropriate and relevant selection of questions for the elite interviewing section of this study.

Step 2: This step involved a series of elite interviews, preceded and informed by a pilot study, as outlined in the research process section of this methodology. It had been determined the most successful search for data would be accomplished through interviewing an elite selection of respondents, representing a reasonably broad spread of media, traditional and online. Although the major research question dictated the required range of data to be collected, appropriate lines of questioning and an indication of interviewee responses would be confirmed by conducting a pilot study which, if it yielded a sufficient and satisfactory amount of data, could then form part of the overall interviewing results.

Step 3: As the study progressed, it became increasingly clear that the Internet and traditional media were so closely linked in their reporting of crime and criminal justice that it was difficult to determine which of the outlets had preceded or influenced the other. Yet this interlinking of the media sectors became an important element in investigating the research question, prompting the decision to focus on this interdependent relationship and put it to the test. To achieve this, three high-profile crime cases were identified, each of which had received or was still receiving comprehensive coverage in all outlets and demonstration case studies were compiled, showing not only the similarities and differences between their coverage in online and traditional media, but also the interaction and symbiotic relationship between the two sectors of the media.

This methodology section explains each of these stages and its importance to the project, as well as detailing the methods used in each stage. By necessity, this study is predominantly qualitative, with some use of figures in the preliminary section to establish classification data.

3.12 Exploratory analysis – general perspective

Proper assessment of the research question posed by this thesis dictated investigation of a second, preliminary research question: **How is crime reported on the Internet?** Only by establishing this could a determination be made of the extent of its influence on traditional media and a benchmark be provided, against which the answers from the subjects of the interviewing process could be considered and compared. Accordingly, an investigation was conducted into some universally accepted ways in which Internet sites were classified, after which sites relating particularly to crime and criminal justice were then identified and their nature explored for the purposes of analysis. The objective of this was not only to help clarify the extent to which the topic was represented on the Internet, but also the context in which it was reported.

3.13 Classification system

In the search for existing classification models most appropriate for benchmarking such a website categorisation, it became apparent that the most reliable and comprehensive classification systems were those in which reputable libraries classified their contents and investigation was undertaken into whether these methods of classification extended themselves to websites. “The use of classification scheme gives some advantages to an Internet service ... If an existing classification scheme is chosen, it will have a good chance of not becoming obsolete and will possibly be well-known to users” (Koch & Day, 1999, cited in Matveyeva, 2002, p. 1). Matveyeva’s article explored the issue of classification of electronic resources, particularly as it related to library catalogues. She found no standard system in place at that time and compared the “use of traditional classification schemes” with the “non-traditional approach ... new initiatives and inventions”, which she concluded were more acceptable to information science and computer specialists (Matveyeva, 2002, p. 9).

While the primary focus remained on those sites related to crime and criminal justice, it was quickly ascertained that obtaining a comprehensive classification pattern demanded the examination of data of a more general nature. Initially, it seemed it might be necessary to create a taxonomy specifically to categorise the sites and their origins. However, on reflection, it was conceded that investigation conducted through comprehensive search engines would be likely to produce sufficient data for this preliminary exercise.

Crime has long been a topic of organised classification, at least in the two systems most common to libraries: Dewey Decimal System and Library of Congress. Both are referred to as “the most widely used classification system in the world” and both were developed in the 19th century. Dewey’s classification system, developed by Melvil Dewey in 1873 and first published in 1876 (“Dewey Decimal Classification”, 2003), branches from “disciplines or fields of study,” each of which is divided into 10 classes, then further divided into 10 divisions and finally into 10 sections. A hierarchical system that allows decimal points to continue to sub-divide its sections, the Dewey system has formed the classification basis of a number of academic libraries. In this system, Crime and its alleviation are found under Category 364 Criminology. (Appendix 3).

However, many libraries today use alternative systems and one of the most comprehensive of these is provided by the U.S. Library of Congress, developed in 1899 by Dr Herbert Putnam and his chief cataloguer Charles Martel and adopting selected features from Charles Ammi Cutter’s Expansive Classification (Stromgren, 2004). Originally conceived to re-organise the volumes in the US Library of Congress, the Library of Congress Classification system employs 21 basic classes, with one letter of the alphabet categorising each class of titles, with these in turn linking to subclasses identified by two or three further letters of the alphabet. The Library of Congress classification allocated to crime was determined by a process of following cyber-links, in this case first to Section H – Social Sciences, then to Subclass HV, which included Social Pathology and Criminology, with its own relevant classifications. (Appendix 4).

Matveyeva (2002) described how both the Dewey Decimal Classification and Library of Congress classification schemes could prove productive in organising electronic resources.

The popularity of the DDC scheme on the Internet resulted in the development of Electronic Dewey and Dewey for Windows. The author also identified a number of US universities offering Internet searching in their catalogues, mainly through the use of keywords and advanced searches. This investigation led the author to conclude that no standard policy of classification existed in the universities surveyed: “The majority of libraries do not classify Internet materials; they just provide the location (online, electronic resource, ‘See URL’ etc.)” (Matveyeva, 2002, p. 6).

Some Internet services using the Library of Congress Classification System and/or Subject Headings include *Cyberstacks* “a centralised and unified collection of World Wide Web and other Internet resources categorised using the Library of Congress class numbers and an associated publication format and subject description” (“The role of classification schemes in Internet resource description and recovery”, 1997), the *WWW Virtual Library*, as well as a number of Universities and Colleges, use the LLC system at only the first level.

In addition, where websites themselves are concerned, the classification is made more difficult by the continual growth of the Internet and the spread of its tentacles into different areas. In their paper presented in Arlington, Virginia in 2006, Lindemann and Littig (2006) [Abstract] sought to “identify and analyse structural properties which reflect the functionality of a Web site”. They found it becoming increasingly difficult to classify these sites and concluded: “A very broad classification of Web sites as commercial, organizational, or educational can be performed by considering their top level domain, e.g. .com, .org, or .edu.” While many new concepts have been developed in recent years, they need to be “distinguished by the purpose of classification”(Lindemann & Littig, 2006, p. 35).

This concept had already been raised by Plosker (2002) who wrote of the way in which the Internet and the Web were being integrated into reference work, a process that “reinforces traditional library work”. He defined the first step in the process as applying “professional evaluation criteria to Web content” and described the criteria as including “authority, purpose, accuracy, objectivity, currency, coverage and audience”. He cited *Yahoo* as a metasite that used categories to classify its websites and that “has developed its own hierarchical classification system developed by human editors”. In comparison, Lerner

(1997-2006) referred to *Google* as an “index-based search engine” and credited *Ask.com* with a technology called “natural language query”, which allowed the searcher to enter the question as it would be asked in conversation.

“The skill of classifying and organising information is at the root of the most successful and profitable web applications” (Warner, 2006). Calling librarians the “New Napoleons”, he identified the two “mechanical components of web librarianship: metadata and keywords” (Warner, 2006, para. 5). The former was exemplified by *amazon.com*, making use of a metadata system for its products and the latter was defined as “metadata in reverse”, or the descriptions applied to the products.

In contrast to all the above, Pierre (2001, p. 1) explored the topic of automated text classification of websites into industry categories and put forward the view that the system could be used for a “generalised framework for automated metadata creation”. His premise was that the resources developed by humans could never suit all applications and he gave two reasons relating to the importance of automated classification:

The first is the sheer scale of resources available on the web and their ever-changing nature. It is simply not feasible to keep up with the fast pace of growth and change on the web through a manual classification effort without expending immense time and effort. The second reason is that classification itself is a subjective activity. Different classifications are needed for different schemes. ... Domain specific classification schemes, which can be quickly applied to large amounts of content using automated methods, hold great promise for generating effective metadata (Pierre, 2001, p. 4).

The approach taken by Pierre (2001, p. 2) was one of “text categorisation” with its index dependent upon words and statistics, as opposed to “sophisticated natural language processing and knowledge-based inferencing”. His analysis was drawn from 29,998 web domains and the categorisation scheme was based on the top level of the 1997 North American Industrial Classification System (NAICS). His conclusion was that “it is possible

to achieve results with automated methods that meet or exceed manual results” (Pierre, 2001, p. 9).

One example of a website classification system relating to crime can be seen on the web pages of the **Parliamentary Library of Australia**. The section in question pertains to **Terrorism Law** and features links to both Internet resources and documents, with “emphasis on Australia, federal (Commonwealth) legislation”. Its initial categorisation is conducted by country and ‘Guides to Terrorism Resources on the Internet’. The next section is devoted to Australia, with the categories Federal Legislation, Terrorism Court Cases, State and Territory Legislation, Miscellaneous Information and Publications. Both Federal Legislation and Terrorism Court Cases are broken down by date, with the State and Territory Legislation divided into the relevant states and territories. The Publications section lists only “key reports and special issues of law journals” and is again broken down by date. An Overseas section lists International Law and various Terrorism Treaties, as well as the Council of Europe, the European Union, Canada, New Zealand, United States and Other Countries. As a result, searching for specific legislation or cases is simplified by the straightforward classification system, which is both comprehensive and relevant. (Appendix 5).

Thus, examining these views and definitions of the classification process to this extent facilitated the possibility of expanding the parameters to include the various categories of the Internet.

3.14 Internet Classification Systems

The next step was to extend the classification process to the Internet, in order to permit better identification of sites related to crime and criminal justice. In 2001, Pierre (2001, p. 4) estimated the number of web pages at one billion “with 1.5 million pages being added daily” and, because of the myriad sites dealing with innumerable aspects of the research topic, investigation conducted through comprehensive search engines seemed the most likely source of relevant data for this preliminary exercise. Most search engines would be likely to include crime and/or criminal justice in their indices of categorisation and a basic but reasonably comprehensive web search, using search engines likely to return the largest and most varied selection of results, was considered a sufficient source of data for this

preliminary exercise. After consideration of a number of such search engines, it was decided that, in 2005, one in particular, *MetaCrawler.com*, was likely to yield a particularly wide selection of data, as it included in its returns at that time access to the results of a number of other search engines: *Google*, *Yahoo*, *Ask Jeeves*, *About*, *LookSmart*, *Overture* and *Find/What*. Consequently it was decided to pilot the web search with this search engine.

The *MetaCrawler* provides a single, central interface for Web document searching. Upon receiving a query, the *MetaCrawler* posts the query to multiple search services in parallel, collates the returned references, and loads these references to verify their existence and to ensure that they contain relevant information (Selberg & Etzioni, 1995 [Astract]).

With an appropriate search engine identified, the next step undertaken was the selection of a broad but relevant keyword for the search. To keep the process as simple and straightforward as possible, the keyword chosen for this initial search was ‘crime’ and the investigation could then progress to the next stage: feeding the selected keyword into the search box of *MetaCrawler.com* and analysing the results.

3.15 Results

When the website search had been conducted, according to the steps outlined above, it was possible to collect and collate the results. In response to the keyword “crime”, *MetaCrawler.com* returned only 98 results, representing not individual sites but an umbrella or meta selection of categories on its preliminary sites. The first 60 of these (three web pages) were noted and roughly categorised as follows, in order of frequency:

Table 3.2 Metacrawler results

Category of search results	Frequency
Government-related	15
Crime prevention and/or commercial products	12
Legal advice and/or criminal checks	8
Other search engines or sites offering further link	6
Education/degree programmes	4
Crime stories and magazines	2
Victims of crime	2
Games/crime scene evidence mysteries	2
Editorial profile	1
Rock group (name only, site unrelated to crime)	1
Organised crime	1
Crime-related movies	1

This classification of the *MetaCrawler.com* results revealed that most categories of crime-related websites returned by the search engine at that time were government-connected. Advice on crime prevention and publicity for commercial products accounted for the second-highest number of categories, followed by those concerned with legal advice and criminal checks. However, six categories represented other search engines and their further links,

suggesting investigation through these links would be likely to produce more comprehensive and numerous results, particularly those linking to crime-related sites.

3.15.1 Web addresses providing further links to crime-related sites

Table 3.3 Crime-related websites

Search engine	URL	Number of categories
Meta Crawler	http://www.metacrawler.com	98
Crime Spider	http://www.crimespider.com	37
Yahoo	http://www.yahoo.com	21
About Crime/Punishment	http://www.crime.about.com	0
Google	http://www.google.com	0

The web addresses linked to crime sites in the *MetaCrawler.com* classification exercise were accessed for further investigation. It was expected they would yield more relevant and useful data relating to crime sites and the first such link to be explored was Yahoo.

3.15.2 Yahoo (www.yahoo.com)

As expected, *Yahoo.com.*, a general all-purpose search engine, yielded a much more satisfactory number of results: approximately 5,406 links to the search word “crime”. These were divided into 21 categories, the largest of which were Law Enforcement (2,585 results) and Types of Crime (1,950 results). Five categories showed no frequency totals, making it difficult to ascertain the exact number.

Each of the *yahoo.com* categories, when accessed, was again divided into categories. For instance, Correction and Rehabilitation – showing an initial total of 440 results – represented 22 categories. News and Media (nine results) reflected three separate categories, but no statistics, while Criminal Justice (showing no total in the first classification list) was represented by nine categories and a number of site listings, some again offering links to further similarly-oriented websites. Other categories in the initial list revealed similar classification and links to yet more websites. This plethora of inter-linked crime-related sources, coupled with a clear and logical system of categorisation, led to the selection of *yahoo.com* as the subject of further exploration, to be addressed later in this chapter.

3.15.3 Crime Spider (www.crimespider.com)

Crime Spider (endorsed by the National Association of Independent Private Investigators) “searches for the best crime and law enforcement sites”, classifying these in 37 different categories. Many of these were similar to the categories identified in the initial search, but also included others such as arson, homicide, drug enforcement, cybercrime, women and crime, etc, at that time totalling 36 categories in all.

3.15.4 crime.org (<http://www.crime.org/>)

In contrast to many of the crime-related websites investigated, *crime.org* was found to be a grassroots project, devoting itself largely to corporate crime. *Grassroots.org* described itself as a “non-profit organization that serves other non-profit organizations and information consumers worldwide”. The organisation also provided legal consultation to charities without charge. It offered links to other corporate crime sites.

3.15.5 about crime/punishment (<http://www.crime.about.com>)

This website was a division of the comprehensive *about.com* site. Its crime category included current news items, as well as a selection of links encompassing commercial products, articles and resources:

Table 3.4 Categories - *about.com*

Topics
Books and movies
Crime prevention
Current cases
Death penalty
Help for victims
Historical crimes
Issues/controversies
Topics
Juvenile crime
Law enforcement
Missing kids/adults
Prison system
Serial killers
Sex crimes
Statistics and data
Women's issues

The site also offered commercial products for sale and provided links to Court records, Crime Research, Crime Guide, Crime Info, Crime Summary.

After investigation of the initial four crime-related websites, a further search was conducted through Google, which “stores a local copy of millions of sites in its database,” files called “cached versions” (Weaver, 2003, p. 270).

3.15.6 Google (<http://www.google.com>)

In response to the same search word ‘crime’, *google.com* produced 52,800,000 results. As *google.com* was one of the search engines included in the *metacrawler.com* portfolio, many results on its first three pages were repeats of those listed by *metacrawler.com*. However, it also included a specific website relating to crime in the San Francisco area: SF Gate: News: Crime. This site was relevant to the exercise being conducted, as it represented an online entity hosted by a syndicate of newspaper and other media, published solely on the Internet and one of the few investigated to identify crime as a special feature.

As this preliminary exercise progressed, the results gathered from the selected search engines confirmed the enormously high incidence and complexity of crime-related websites. Literally millions of sources, still continuing to multiply, are available to users of the Internet and these sources include examples from online editions of traditional newspapers and other print publications, radio stations, television channels, sites devoted exclusively to one or more particular aspects of crime, such as serial killers, child molesters, murderers, etc. To obtain a representative picture of the diversity of their content, a few official and commercial websites were randomly selected from the millions available to explore their content.

3.16 Examples of content of selected crime-related websites grouped by topic

3.16.1 Sourcebook Online (<http://www.albany.edu/sourcebook>)

Type: Government

Area: United States

Content: Matters relating to criminal justice

The Sourcebook of Criminal Justice Statistics presents data from different sources about criminal justice in the USA. Sourcebook is published annually and updated continually and

supported by US Department of Justice, Bureau of Justice Statistics. Information was presented in six sections: Characteristics of the criminal justice system; Public attitudes towards crime and criminal justice-related topics; Nature and distribution of known offences; Characteristics and distribution of persons arrested; Judicial processing of defendants; Persons under correctional supervision.

3.16.2 Bureau of Justice Statistics (US Department of Justice) Crime and Victims Statistics (<http://www.ojp.usdoj.gov/bjs/cvict.htm>)

Type: Government

Area: United States

Content: Statistical data

Diverse and comprehensive selection of crime-related statistics: summary findings; BJS criminal victimisation data collections; Redesign of the National Crime Victimization Survey; Codebooks and datasets; Emergency room statistics on intentional violence; 2001 Computer Security Survey pilot study; Crime victimisation survey software; also by BJS staff; selected statistics.

3.16.3 United Nations Office on Drugs and Crime (<http://www.unodc.org/unodc/index.html>)

Type: International information

Area: United Nations

Content: Confined to information on drugs and crime.

This site was concerned with international issues and gave details of news and publications, events, UN Crime Congress in April 2005 and World Drug Report 2004.

3.16.4 The White House: Social Statistics Briefing Room – Crime (<http://www.whitehouse.gov/fsbr/crime.html>)

Type: Government

Area: United States

Content: Government statistics on social crime.

Here, information and charts were provided on socially relevant topics as Violent crime measures; Homicide rates by age; Violent crime rates by gender of victim; Property crime rates; Arrests for drug abuse violations; National correctional populations.

3.16.5 United States Department of Justice (<http://www.usdoj.gov/>)

Type: Government

Area: United States

Content: US newsletters, items and information on topics including elections, Attorney-General's statements and activities of the Department.

3.16.6 Australian Government: Australian Institute of Criminology

(<http://www.aic.gov.au/>)

Type: Government

Area: Australia

Content: Criminological research and results

This site represented the AIC, the “national focus for the study of crime and criminal justice in Australia and for the dissemination of criminal justice information,” with functions including:

- Conducting criminological research
- Communicating the results of research
- Conducting or arranging conferences and seminars, and
- Publishing material arising out of the AIC's work

3.16.7 *Crime Magazine* and *Crime Library* (<http://crimemagazine.com>)

(<http://www.crimelibrary.com>)

These two sites were not dissimilar and offered information relating to specific crimes, criminals, investigations, forensics, etc. They were both non-fiction sites and information on most crime cases, whether current, solved or unsolved could be found using these resources.

Type: Commercial general interest: crime

Area: Predominantly United States, with some international data

Content: Details and records of crime cases.

Crime Magazine: An Encyclopaedia of Crime included a number of articles on controversial issues related to crime.

Crime Library: Criminal minds and methods Crime Library was an off-shoot of Court TV, (Courtroom Television) ... “a rapidly growing collection of more than over 600 nonfiction feature stories on major crimes, criminals, trials, forensics and criminal profiling ...” Its front page answers a selection of FAQs including how to find information if Crime Library did not have it. Stories of crimes from *CourtTV* and international crime news. Contained categories: Serial killers; Notorious murder cases; gangsters and outlaws; *Crime Library* is a joint venture of AOL-Time Warner and Liberty Media Inc. It covered news, both national (USA) and international and offered data for research purposes.

In addition to the above official and encyclopaedic sources, the following websites were also included in the preliminary research:

3.16.8 Commercial sites – *Partners and Crime* (<http://www.crimepays.com>) and ***IMDb - Crime*** (<http://us.imdb.com>)

Type: Bookstore

Area: New York

Content: Books and movies relating to crime.

Partners and Crime is the name of a bookseller in Greenwich Village, New York, an enterprise devoted entirely to “mystery books, authors of crime novels, book collecting, mystery book reviews, and mystery radio plays”. *IMDb – Crime* is a guide to crime movies, covering 14450 titles all in the crime genre. IMDb is an amazon.com company.

3.16.9 We prevent.org : National Citizens’ Crime Prevention Campaign
(<http://www.weprevent.org>)

Type: Public concern

Area: United States

Content: Public awareness

“The Campaign was the first public education program on crime prevention in the country. It is designed to stimulate community involvement and generate confidence in comprehensive crime prevention activities.”

3.16.10 The National Centre for Victims of Crime (<http://www.neve.org/ncvc/>)

Type: Public concern and assistance

Area: United States

Content: Sources of assistance for victims of crime.

As might be deduced from its title, this site was aimed at offering resources to victims of crime and included in its coverage resource centres, news reports, conferences and a range of assistance for victims.

Although only a small selection, the websites examined above were diverse in their nature. They also stood alone and were unrelated to any sectors of the traditional media. However, traditional media had not been left behind by the development of new technology and the majority of newspapers, magazines, radio stations and television channels were found to support their own websites, usually offering extended coverage of those items carried in their normal outlets. The number of newspaper outlets online was vast; some were simply replicas of their traditional equivalents, while others offered more comprehensive coverage online than in their traditional publications. The policy of hosting their own websites has now largely been adopted by most traditional publishers, just as it has with the electronic media.

Examination of these and other websites revealed a definite pattern in their content. Many Government-related sites represented lobby groups of one type or another; a large number of crime-related sites were devoted to the buying and/or selling of commercial products, such as books, videos, even crime prevention advice and service. A great deal of the material was educational, relating to legislation, investigation, forensics, statistics, etc., while other sites were more noticeably entertainment-linked. A number of these were spin-offs from television productions hosted by presenters who complemented their programs in traditional media with web pages giving crime news and inviting comments from individual citizens.

By this stage, the research process had involved investigation of a large and diverse range of search engines and web pages, in an effort to focus specifically on sites relating to crime and criminal justice. It then became important to concentrate the search where it was likely to yield the most productive data and on reflection this was deemed to be the search engine

Yahoo (*www.yahoo.com*), “the Web’s most popular search service ... by far the most popular site among American journalists”, launched in 1994, offering simple and advanced search levels, showing about 20 levels at one time (Quinn, 2001c, p. 102).

3.17 Classification refining

The exploration of search engines and websites pointed to the superiority of yahoo.com as a comprehensive classification system of crime-related websites. Detailed categories and their frequencies provided by *yahoo.com* were as follows:

Table 3.5 Categories – yahoo.com

Category	Frequency
Asset confiscation	2
Books -	(includes sub-categories)
Correction and rehabilitation	440
Crime prevention	90
Criminal justice	(includes sub-categories)

Category	Frequency
Criminology	(includes sub-categories)
Evidence	4
Juvenile	122
Law enforcement	2585
Missing persons -	(includes sub-categories)
News and media	9
Organisation	16
Organised crime	111
Outlaws	15
Statistics	17
Types of crime	1950
Unsolved crimes	16
Victims' rights	27
Violence	(includes sub-categories)
War on drugs	- (includes sub-categories)
Web directories	1

This classification demonstrated that almost any crime-related subject being researched could be tracked by following the progression through the categories of this search engine's classification system. For instance, a search for "death penalty", commenced with the keyword "crime", passed through the main *yahoo.com* site, to Correction and Rehabilitation, where Death Penalty with 160 suggested sites was shown as one of 22 categories. The Death Penalty link led to a further site with six categories: Death Row, Execution Methods, Juvenile Death Penalty, Opposing Views, Supporting Views, Web Directories, together with a number of specific crime listings. Taking the Death Row option led to another site featuring only one category, Inmates, plus site listings. This link took the searcher to a site with two more categories, Executed and Women.

While it is undeniably useful and beneficial to have this plethora of crime-related sites available on the Internet, it should not be forgotten that crime has been the subject of organised classification for a long time, at least since Dewey's classification system was devised in 1876 ("Dewey Decimal Classification", 2003). Furthermore, crime-related information has always been and is still accessible through books, newspapers and library sources. Initially, these avenues lent themselves more to enthusiasts in the subject, those who were willing to spend time or money in fulfilling their need for information. The advantages offered by websites over these other avenues of information are speed and accessibility. Then, too, there is the 'invisible web' of digital journalism filling much the same purpose on the Internet, but offering websites only to those prepared to pay subscription charges, or those with access to specialised sources such as academic journals. The University of California Berkeley explained in its Internet tutorial that although new programs had overcome many of the problems of finding previously invisible web pages, there were still "thousands of specialized searchable databases" that needed to be searched separately ("Finding information on the Internet, 2007). However, even though these countless other sources are not free, they must be included in the diversity and number of crime-related sources available on the Internet.

The websites and sources explored so far lack one important class of example: media outlets online, whether complementary to traditional publications or confined to the Internet. These examples are the focus of the next section of the research process.

3.18 Online media outlets

The multitude of news websites represents formidable competition for traditional media and, to maintain and retain audience interest, many traditional outlets have introduced their own web pages, some supplying additional or adapted content specially for the new medium and others simply repeating or recycling their original material. As will be discussed in Chapter 6 of this study, certain researchers and scholars point out the differences in audiences of the two sectors of the media and emphasise the importance of catering to the needs of the new audience. This study now lists for exemplification purposes a few online newspapers, with instances of traditional media that have developed online products to complement their core products and two that exist only online.

3.18.1 Newspapers online

Two U.S. publications were chosen at random to search for specific mention of crime reporting, one an online edition of a mainstream publication and the other an Internet-only publication.

New York Times – nytimes.com - an online edition of the traditional print publication. A search using the keyword “crime” since 1996 returned 34631 articles. However, these included associated articles classified as Sports, Arts, Magazine, Books, etc. The newspaper listed no specific Crime section.

SFGate.com – This is the website of a syndicate of newspaper and other media in San Francisco. Crime was listed in its News and Features; Crime Scene included not only news of crimes in the San Francisco area and other parts of the United States, but also links to other crime-related sites. The site offered crime and justice news from “Associated Press, SF Gate and the Chronicle”. SFGate is © Hearst Communications Inc.

In Australia, Australian Newspapers Online (<http://www.nla.gov.au/npapers/>) listed a total of 495 publications, nearly all of which were online versions of traditional newspapers, including:

www.smh.com.au — This online edition of the Fairfax publication *Sydney Morning Herald* yielded 19 matches for the keyword ‘crime’. It did not list Crime in its news categories.

www.ageonline.com – This online edition of *The Age* newspaper offered 132 matches for the keyword ‘crime’ and content extended well beyond that of its traditional print publication.

In addition, one example of an Australian news outlet appearing solely on the Internet had been in existence for about 18 months:

Brisbane Times (<http://www.brisbanetimes.com.au>) – A relatively recent news site, appearing solely online and launched in March 2007 by Fairfax Media, publishers of print products, most notably *Sydney Morning Herald* and *The Age*.

A similar investigation was then conducted of traditional radio stations with online sites, as well as those confined to an Internet presence.

3.18.2 Radio stations online

Australian Radio Online <http://www.adonline.id.au/radio/Internet.php> listed 18 Internet broadcasters, none of whom had terrestrial licences. Their content ranged from tourism to music and dance, with some focusing on specific groups such as ex-pats (AussieGoldRadio) and Arabic Lebanese (Radio2Moro). In addition, the Great Yarmouth Radio Club (<http://www.qsl.net/g3yrc/radio-online/Pacific/Australia.htm>) listed a further 42 stations, both online and traditional.

Australian stations broadcasting in traditional media and online included channels hosted by the Australian Broadcasting Corporation, such as *ABC Radio National*, *ABC NewsRadio*, *Radio Australia*, as well as commercial stations such as 2UE and 4BH. All offered podcasting accessibility as well as streaming radio.

3.18.3 Television channels online

The majority of television channels supported their own websites. Some showed video clips of recently broadcast news items, or offered archived videos of particularly newsworthy coverage. Most included text versions of current stories and many offered streaming video (actual live transmission). Four television channels online were monitored, two from the United States, one from the United Kingdom and one from Australia.

CNN – <http://www.cnn.com>. (© 2005 Cable News Network LP, LLLP. A Time Warner Company). Article matches for “crime” in the website’s own search box produced at that time an estimated 12,241 results. Although the website did not include Crime among its categories, it did offer videos of current crime-related stories.

Fox News – <http://www.foxnews.com>. Fox News featured a full website, with details of all its television programs, including those related to crime. It included videos of some stories and updated the information frequently.

BBC – <http://www.bbc.com>. The BBC’s crime section included details of crimes and criminals, drugs, the law and support services. It also featured *Crime Watch*, the Internet edition of its television program devoted to seeking help from the public in solving crimes.

Australia Broadcasting Corporation – (<http://www.abc.net.au/tv/>). ABC1 and ABC2 both offered program content including documentaries, program clips, streaming video and access to archived material complementing their television services in mainstream media.

Undoubtedly, the accessibility to crime-related web sites on the Internet has enabled interested members of the general public to use specific search terms and become more familiar with the processes and details of crime and criminal justice, while others will simply continue to learn more from sites with which they are already familiar. This then raised the question of whether this new-found familiarity – and sometimes expertise – with the topic was also responsible for changing the way in which traditional media reported crime and criminal justice.

3.19 Description of methodology to test the guiding hypothesis

Several methodological options were available to examine the differences between crime reportage on the Internet and that adopted by the traditional media, including both quantitative and qualitative analysis, as well as interviewing. These are given brief mention together with the reasons for their possible selection or rejection, leading to the conclusion that the research questions of this study would be most appropriately addressed by a combination of methodologies, in other words, a triangulated study employing methodological triangulation (Denzin & Lincoln, 1994) and outlined in the Introduction to this chapter.

Although quantitative analysis was involved to a minimal degree in addressing the preliminary research question of this study – **How are crime and criminal justice reported on the Internet?** - qualitative analysis was determined to be a more suitable method for collecting the data related to the major research question. Quantitative research stresses the importance of generating numbers and data are statistical, while qualitative research establishes descriptive data through human explanations and real-life words, thoughts and expression. Berg (1995, p.3, cited in Gray & Densten, 1998) described quantitative research as referring to “counts and measures of things”. Thompson (1999, p. 155) defined qualitative content analysis as a “systematic procedure used to analyse texts according to defined rules”. She quoted Thomas Carney (1972), whose definition applied to both quantitative and qualitative content analysis: “... a way of asking a fixed set of questions unfalteringly of all of a predetermined body of writings, in such a way as to produce countable results”. Ericson et al (1991c, p. 50) suggested it revealed “patterns or regularities in content through repetition” and stated:

It is important to establish the proportion of total news content that involves crime, law, and justice stories, and how this varies by medium and markets (Ericson et al., 1991c, p. 47).

Moreover, they asked how “concordant” these stories were across the different media outlets. While a process of quantitative content analysis would have been the only way to determine the incidence and subject matter of crime reportage in all the media being observed for this research, the resultant data would not have met the objectives of this

exercise, nor would they have answered the research question, as the principal objective of this study was to investigate and examine the effects, if any, of the Internet on the reporting of crime and criminal justice in the traditional media. The nature of the primary research question lent itself more to qualitative analysis:

...[T]he strengths of qualitative studies should be demonstrated for research that is exploratory or descriptive and that stresses the importance of context, setting, and subjects' frame of reference (Marshall & Rossman, 1989, p. 46).

Furthermore, the “naturalistic approach” of qualitative research “seeks to understand phenomena in context-specific settings” (Golafshani, 2003, p. 600) and the context in which the elite interview responses were obtained was instrumental in evaluating them against the major research question.

3.19.1 Qualitative Analysis

John and Lyn Lofland (1995, pp. 127-145, cited in Babbie, 2001, p. 359) suggested six methods of finding patterns in research analysis: Frequencies, Magnitude, Structures, Processes, Causes and Consequences. Ericson et al. (1991c, p. 55) called on the qualitative content analyst to “construct a reading of the text” and to select that which is relevant for analysis, piecing it together “to create tendencies, sequences, patterns, and orders”. For this study, patterns were sought in Frequencies, Structures, Causes and Consequences, in a variable-oriented analysis (Babbie, 2001). However, the qualitative content analysis deemed necessary to answer the major research question was not concerned so much with the content of the text itself in the reporting of the two arms of the media, but with the influence of the one upon the other and the interaction between them.

Understanding the patterns revealed in the analysis of news content required an awareness of the processes involved in accumulating and reporting that news, as well as how it related to the people (editors and reporters) involved in those processes (Ericson et al., 1991; Grabosky & Wilson, 1989). In addition, elites' responses to certain questions revealed that some categories overlapped. Rather than restrict the interviewees to the exact pre-determined

topics, the researcher chose to allow the responses to become as open-ended as necessary and then re-coded or clarified the overlap at a later stage.

These factors were researched for the Literature Review and are considered again in the analysis of the data for this study.

3.19.2 Elite interviewing

The major research question could not be answered by counting, nor could it be pre-determined by statistics. It was dependent upon the real-life and individual experiences of practising journalists and the answer would of necessity differ from one to another, according to their familiarity with and use of the Internet. Consequently, personal views and honest opinion needed to be sought, meeting the Marshall and Rossman (1989) criteria quoted above. The open-ended, elite form of interviewing adopted for this study matched their requirements: “Elites are considered to be the influential, the prominent, and the well-informed people in an organisation or community” (1989, p. 94).

This researcher sought the opinions of crime reporters in both traditional and online media, to ascertain the ways in which the Internet had influenced their reporting. Similarly, the opinions of editors in both forms of media were solicited for analysis, as the factors to be included for publication were ultimately their decision. All reporters and editors selected were Australian, although one had left employment in this country and was already working abroad and a second moved to the United States after being interviewed.

Initially 17 editors and journalists were selected for the elite interviewing section of this study, augmented by a further eight at a later stage of the research. As a written questionnaire was less likely to produce the open-ended, descriptive answers necessary for analysis, the decision was taken to conduct the interviews on a one-to-one basis, either in person or by telephone. In addition, personal interviews permitted questions of a more sensitive nature (Mattes, 1998). A line of questioning was formulated, allowing for broad, open-ended questions, as well as those of a more specific nature. These data were collected from all nominated journalists and editors and the resultant findings coded and analysed. The reporters and editors were not necessarily selected from the same or different publications or

websites, as it was subjective individual opinion and not uniform editorial policy that was sought. The questions were designed in line with Strauss and Corbin's recommendation (1998) that research questions should permit the subject to be explored in depth, accepting that the answers have not yet been provided by research to date.

Ericson et al (1991, p. 49) stated that news itself was a means whereby reporters and sources built "meanings and expectations" about their organisations and that it was important to investigate the meanings these reporters applied to this building of their news product. This factor was taken into account in the preparation of questions for the interview process; in addition, many of the guidelines described and followed by Grabosky and Wilson (1989) were similarly applied. The philosophies and policies emerging from the interviews, when their texts were studied as entire narratives, made it possible to obtain a broader view of the experiences. Coding of categories for the data collected through elite interviewing was dictated by the factors that emerged from the respondents' completed interviews.

3.19.3 Interviewing

Kvale referred to research interviews as "based on the conversations of daily life" and "professional conversations" (1996, p. 95) . This professional conversation approach was determined to be the most productive source of data for the answer to the major research question. Patton (2002, p. 125) described the "Theory-method linkage" advocated by Glaser and Straus (1967, pp. 5, 6) as meaning that methodology would determine the findings. In addition to this, it must be recognised that so, too, will the knowledge and practical experience of the researcher influence the findings, although a primary consideration must be that "the researcher does not attempt to manipulate the phenomenon of interest" (Patton, 2002, p. 39). While the researcher's knowledge and experience carried the possibility of some loss of objectivity in the research, they were also a distinct benefit, enabling the researcher to understand and build on the responses from the interviewees.

To obtain those responses, it was important to ask open-ended and clear questions, whose answers could be interpreted without ambiguity and followed through with further discussion, where warranted.

3.19.4 Question schedule

As already stated, the researcher took the decision to limit the questioning process to Australian editors and journalists and to try wherever possible to conduct the interviews either face-to-face, or by telephone. The option of mailing the question schedules to recipients, while it might have had certain advantages, was also likely to delay the process; however, in certain instances, emails were used to ascertain further information. Questions were divided into different areas:

Table 3.6 Interview question topics

Topic	Examples
Authorities	Has the Internet made a difference to the availability or choice of spokespeople, or authorities, called upon to comment on crime stories? Do editors and/or journalists now regard the Internet as a source of interviewees and experts?
Internet usage	How frequently do the editors and/or journalists refer to the Internet and its related resources?
Confirmation of material	Do the editors and/or journalists confirm the authenticity of material found on the Internet and, if so, how?
Reporting	How has the availability of detailed crime reports on the Internet affected the way in which these same crimes are reported in the traditional media?
Classification	What types of stories do the editors and/or journalists research on the Internet? Would these include crimes associated with violence and murder as well as white-collar crime?
Tone	Has the tone of reporting in the traditional media changed in any way as a result of Internet coverage?
Journalism	Has the crime journalist's role changed as a result of Internet availability and, if so, how?

The researcher compiled a sample selection of questions designed to leave the options open for more comprehensive responses and to allow interviewees to volunteer information at any time. This sample selection was used as a starting point for most interviews, but was adapted wherever it was felt more comprehensive responses would be obtained from a slightly different line of discussion.

Sample selection of questions:

1. What changes does the Internet bring to the issue of jurisdiction?
2. How would you identify the different legal and ethical considerations imposed by the Internet? How do you deal with them?
3. Has the Internet contributed to the availability of spokespeople or authorities called upon to comment on crime stories? If so, in what way?
4. Do you regard the Internet as an acceptable source of interviewees for crime reports?
5. Do you regard the Internet as an acceptable source of experts for crime reports?
6. How would you select an authority for comment from the Internet?
7. Approximately how often do you refer to the Internet as a source of material when writing a crime report?
8. Do you confirm the authenticity of material sourced from the Internet? If so, how?
9. Has the availability of up-to-date crime stories on the Internet influenced the way in which you report these same stories? If so, how?
10. In what ways might your crime story differ from coverage of the same story on the Internet?

11. What types of stories do you research on the Internet?
 - a. Local – sensational – international - murder, etc.
12. Has the tone of your crime reports changed as a result of Internet crime coverage?
Tone defined: highbrow, tabloid.
13. Has your style of writing changed as a result of reporting on the Internet?
14. Do you make direct references to the Internet in crime reports?
15. Has your role as a crime reporter/editor changed as a result of Internet availability? If so, how?
16. How would you identify the differences between the audiences of online and traditional media?
17. How would you identify the difference between coverage of crime stories online and in traditional media?
18. What has been the technological impact of the Internet on crime reporting?

3.19.5 Qualitative data analysis process

The software program N6 was used for analysis purposes and categories were developed and labelled, largely pre-determined by the categories listed in Section 3.7 of this chapter. In addition, where interviewees volunteered relevant views or comments outside these categories, other categories were named and added accordingly. Common patterns were identified and coding and refining continued until the end of the research process. Examples of the category codings are included in the results section, Chapters 4 of this paper. Decisions on including or omitting categories were determined directly according to the major research question and the ways in which the Internet influences the reporting of crime and criminal justice in traditional media. If data were relevant to the research question and subsequent analysis, they were included. If they were considered superfluous, or too minimal

to make a substantive contribution, they were omitted in the final analysis and discussion. The memorandum facility of the program was used less frequently than had been expected, as the respondents (experienced journalists and editors) contributed to the discussions in largely clear, unambiguous terms.

3.20 Sensitivity

The background and history of the researcher mentioned in point 1 above also came into play in the area of theoretical sensitivity, described by Strauss and Corbin (1998, p. 42). They acknowledged the significance of professional experience enjoyed by the researcher and the importance of perceptions and opinions formed through practice in the field along the way. Again, it must be acknowledged that this candidate had many years of experience in the journalism profession and that this familiarity was at least partly responsible for prompting the research question under review. However, this experience and knowledge served to allow fuller understanding of the responses of the interviewees and to enable the data obtained to be viewed in the context of the real-world working situation.

To summarise the progress of this chapter, it has so far examined the research process, as well as the classification system for crime in libraries and on the Internet; it has also defined the three steps comprising the methodological triangulation of this study and debated various options of analysis. It now turns its attention to the methodology of the third element in the methodological triangulation, demonstration case studies.

3.21 Demonstration case studies.

As has been mentioned previously in this study, this media, crime and Internet intersection remains a relatively new focus of research and few findings were available for the purposes of validation or verification. The conclusions reached in this paper were the result of searching available literature and analysing responses received to an elite interviewing process. To demonstrate how the responses applied to actual online and traditional coverage of crime and criminal justice, the decision was taken to select and analyse media coverage of three high-profile criminal cases. The aim was to gauge an approximation of not only the influence of the Internet, but also the extent to which the two sectors of the media interacted with and fed upon each other.

Three well-publicised crime cases were selected:

- the murder in July 2001 in the Australian outback of British backpacker Peter Falconio
- the conviction and imprisonment in Bali in October 2004 of Australian Schapelle Corby
- the disappearance in Portugal of British toddler Madeleine McCann.

In the case of Peter Falconio, Bradley Murdoch had been convicted of murder (and was appealing the verdict), although the victim's body had never been found. Madeleine McCann had been missing since May 2007, when her parents found she had disappeared from her hotel room in Portugal. Schapelle Corby was still serving a prison sentence in Indonesia, despite several appeals.

All three cases received widespread media coverage in both the traditional media and online and were covered in many of the same media outlets. Categories selected for comparison were largely those identified in the elite interviewing process, although certain additional topics became apparent as each of the demonstration case studies was analysed.

The methodology used for this section of the study was based on the work of Yin (1988; 2009) and incorporated the recommended steps of designing the case studies, conducting them from evidence obtained and analysing the subsequent results in order to draw conclusions. As the research questions were addressed in the elite interviewing process, it was not considered necessary to include this step again in the collection of data, but to take as data examples of media coverage online and in traditional media, together with selected responses already obtained. Yin (1988, p. 21) pointed out some disadvantages of the case study as a form of research and noted that researchers needed to avoid "biased views" prejudicing the results. As the researcher was not personally involved with reporting of any of the three demonstration cases and was not acquainted with any of the key characters, there was unlikely to be a biased view. Yin (1994) identified the skills required by the researcher as proficiency in asking and interpreting questions and responses, effective listening, adaptability and the flexibility in reacting to different situations, an understanding of the issues under investigation and lack of bias and prejudice. These criteria were addressed

earlier in this paper. In addition, he mentioned the real consideration of the difficulty of applying general conclusions to a single study. This reservation was borne in mind when undertaking the process for this thesis, as only three cases were to be examined and the results would serve to show the findings as they applied to only these three cases. Whether they could then be applied as a generalisation or extrapolated to other examples was an issue still to be determined by further future research.

Yin (2009, p. 15) questioned whether it was possible to “generalise from a single case” and pointed out that case studies were “generalisable to theoretical propositions and not to populations or universes” and the goal should be to “expand and generalise theories ... and not to enumerate frequencies ... ” In this instance, it was important to discover whether media coverage afforded to the three cases mentioned above was similar and followed any particular pattern. Thus the purpose was to employ a descriptive mode to identify and illustrate common topics within the three demonstration case studies and to present them as a cross-case analysis, together with the interview responses, in the Discussion chapter of this thesis. Because all three demonstration cases had assumed high-profile status as a result of their newsworthy elements and global media coverage, some degree of generalisation was attainable.

Yin (1993, p.22) asked the question: “Can case studies include journalistic accounts?” and answered in the affirmative, citing the Watergate Scandal as an example. This confirmation substantiates the decision to include the interviewees’ responses as criteria for testing the answer to the research question. Yin listed five components as being particularly significant in the research design of a case study:

- a study’s questions
- its propositions, if any
- its unit(s) of analysis
- the logic linking the data in the propositions; and
- the criteria for interpreting the findings (1993b, p.29).

For the purposes of this paper, questions investigated in the demonstration case studies focused on examination of the traditional and online coverage of high-profile crimes, to establish the influence of Internet over traditional media crime coverage, in addition to certain other issues arising during analysis. On the second topic, propositions, while this study loosely adopted the proposition that the Internet did influence the reporting of crime and criminal justice in traditional media, it was more appropriate to regard the research as exploratory (Yin, 1993), with the purpose defined as testing the responses and findings of the elite interviewing process. In each of the three case studies, the crime itself was the case being studied, with the unit of analysis the media coverage of the crime. The unit of analysis was a significant element of the case study and according to Tellis (1997, p. 4) was ‘typically a system of action rather than an individual or group of individuals’. Media coverage was categorised as a course of action; however, whereas Yin (1993, p.33) commented that “Most researchers will want to compare their findings with previous research”, such previous research did not exist in this instance. In addition, Yin (1993, p.33) declared that steps 4 and 5 are the “least well developed in case studies”.

The “blueprint” for the demonstration cases was to show the interactivity between online and traditional media in the reporting of crime and criminal justice and to determine whether the Internet influenced such reporting in traditional media. The quality of research findings was likely to fall within the area of external validity (Yin, 2009 p. 41) and the possibility of using replication logic in the three cases is discussed in the summary concluding this chapter. In addition, reliability was investigated.

Here again it must be stressed that the three examples are demonstration case studies, to test certain findings from the Literature and interviewees’ responses and to complete the methodological triangulation approach to this thesis. The study of the events of these case studies conformed with Yin’s requirement that data be integrated with “real world events”. As the data were primarily articles in both form of the media, they reflected real world events; however, practicality and logistics dictated that they should be obtained mostly with the help of the Internet, with traditional examples coming from such original reference sources as Factiva. In addition, it was not possible to make the collection of data complete

for each case, as all three were still ongoing and in the process of receiving coverage at the time data were collected.

Several researchers referred to case studies as examples of triangulated research (Mathison, 1988; Golafshani, 2003; Patton, 2002), citing diverse elements, of which four were defined by Denzin (1984): Data source triangulation, where the researcher examined the data within different contexts; theory triangulation, where several researchers with different perspectives examined the same evidence; investigator triangulation, where several researchers explored the same study; and methodological triangulation, where different means were employed successively by the same researcher, to add credibility to the results. While these demonstration cases were not used substantially to validate the findings of this research, they nonetheless exemplified the way in which traditional and online media duplicated the material they published and also helped to distinguish between reporting of crime and criminal justice on the Internet and in traditional media.

3.22 Conclusion

This chapter has described the three phases of the research process contributing to the methodological triangulation of this thesis. The initial analysis of web crime sites was undertaken to establish the way in which the Internet reported crime and the results provided a frame of reference for analysis of the interview responses. These related to the major research question and were obtained from a selected group of elite interviewees, mostly practising journalists and editors, as well as academics. The third phase of the research process was the analysis and comparison of online and traditional media coverage given to three high-profile crime stories. These three phases revealed not only strong similarities in Internet and traditional reporting of crime and criminal justice, but also many differences.

Evidence of these differences came to light in investigation of available literature for this thesis, in the interviewees' responses to the researcher's questions and in analysis of the media coverage of the three demonstration case studies. The differences themselves and their possible impact on the major research question of this paper are discussed in greater detail in Chapter 6 of this study.

CHAPTER FOUR: RESULTS

Part 1: General issues

4.1 Introduction

This chapter reports upon the results obtained from elite interviewees' responses to questions and discussion relating to the major research question of this thesis. In Chapter 6, these results, together with those from Chapter 5 (Demonstration case studies) will be discussed and findings ascertained. However, this chapter focuses on the elite interviewees and their responses to the questioning schedule of this study.

Obtaining any data at all depended upon the willingness of those respondents who were approached to be interviewed and recorded and, although some interviews took a considerable period of time to organize and confirm, all respondents eventually acquiesced and no refusals were received. Not all respondents were overtly encouraging or positive about the Internet in their responses, although even those who did not appear too pleased with the questions being asked and did not elaborate on their responses were at least cooperative to the extent of showing candour in their replies. Only three interviewees responded to the follow-up questions sent some months later, mainly because their focus was on the national elections imminent at the time of emailing in 2007. In addition, the opportunity arose some three years after the first series of interviews to conduct selected purposive interviews for the purposes of acquiring data for the demonstration case studies and concluding this research. These interviews were transcribed and included with the analysis of results recorded in QSR N6 software.

As the questions were reasonably straightforward and the researcher was able to discuss them comprehensively and comprehensibly with the interviewees, responses were unlikely to be interpreted incorrectly. The preliminary coding exercise gave a fair idea of the differences in opinion between the respondents and of the way in which they viewed the Internet and its impact on the reporting of crime and justice, or, in some cases, on reporting in general. The basic coding categories are addressed in this chapter.

It will also be noted that, in reporting the results of the interviews conducted for this research, most respondents are quoted by name while one is identified only as “Broadcast reporter”. This is because this particular respondent asked for this aspect of confidentiality to be observed and the researcher has respected these wishes, in accordance with ethical protocol.

Themes of the interview questions originated from a distillation of the theories of Ericson et al. (1991b), Grabosky and Wilson (1989) and Masterton (1998). These themes were built into the research questions used in the elite interviewing process. Analysis of the data obtained resulted in the confirmation of some of the themes as categories, the additions of some new categories, the amendment of others, the deletion of some and the developments of several sub-categories which emerged during the analysis stage.

These categories and sub-categories are illustrated in **Conceptual Map (Appendix 6.)**

4.2 Technology

Any discussion of ways in which the Internet has influenced the reporting of crime and criminal justice in traditional media must first examine the technology of the reporting process and the impact of the changes in technology on that process. The technology of the news cycle has changed perceptibly since the U.S. Defence Advanced Research Projects Agency’s ARPANET, created in 1969, made its first international connection in 1973 and then became known as the Internet in 1983. “The first news media on the World Wide Web started in 1992 (notably in the US) and fully emerged in 1994” (Leiner, Cerf, Clark, Kahn, Kleinrock, Lynch, et al., 2003).

Deborah Knight (*Ten News*) saw the influence of the Internet manifesting itself particularly in television broadcasting. “Technology, broader technology, which includes the way that we edit stories and send stories via the Internet, has certainly changed television.” She described the Internet as “still evolving” and referred to the way in which the speed of getting information had changed: “It’s much quicker now to get facts and figures on particular events or particular topics.” Peter McCutcheon (*7.30 Report*, Brisbane) agreed, describing a story he was working on at the time, based in Brisbane, but requiring a search

for documents recoverable in Victoria. “Before the Internet, that might have taken considerably more days and some help to chase that down and get the information, whereas with the aid of the Internet I can get that in a couple of minutes,” he said. The aspect of speed and convenience of retrieving official documents and records was referred to by other interviewees, including Michael Corkill (*Courier-Mail*), who also made reference to accessibility of legal papers.

Peter McCutcheon (*7.30 Report*, Brisbane) linked this point with convenience, compared with the often more troublesome steps in tracking down information through more traditional means. He also spoke about the different method of telling a story on the Internet, comparing this with television, which depended on once-only viewing:

...where I have got to think of the audience and pictures in a way that’s going to appeal to a mass audience and that influences how much depth I go into and how much background I put into the piece.

He said he constructed his stories for television, but was interested to see “another product” coming out of his work in the transcript posted on the Internet the next day. Speed was also an issue raised by Murray Cox (AAP), who compared a laptop with its wireless broadband to the lengthy process of telephoning a story through to a copytaker. Gary Hughes (*The Australian*) stated speed lent itself to breaking news “and that in turn quite often tends to be crime type, so it will be police reporting ... courts ... that type of thing”. He claimed that in his experience those subjects were the most popular: “... on the websites I’ve worked on, crime stories always pull in heavy traffic”. Connecting speed to immediacy, he gave the example of accessing a website in the morning and reading the “overnight Police wrap of what happened until 8 o’clock that morning”. Or, if there was a shooting in progress, “you can read it almost as it’s unfolding ... it’s almost reality”. On the other hand, he qualified his comments: “Obviously you pay a price for speed ... you might get minor errors in a fast unfolding story where information is hard to get, but in my experience that’s not a huge issue”.

Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) was more cautious about the change and brought the idea of profitability into the technology discussion, by suggesting

that media changes on the Internet would be slow in coming, until there was an “economic benefit” to the companies running the sites. His opinion was that advertising support was needed to ensure the survival of news sites online and that investment was only beginning to take place. The threat posed by the Internet to traditional print publications was a concern shared by Jim Kelly (*Sunday Times*) and Tracy Bowden (*7.30 Report*), who were both unsure of what the effects would mean for the future of the journalism profession. Jim Kelly identified the Internet as “quite a big threat” to the future of newspapers, citing this as a reason for more publications opening their own designated websites. He predicted blog sites would become more numerous and more reporters would work solely on the Internet, while Tracy Bowden said the Internet would “obviously” be the place where people would go to get their news, “instead of going to the television”. Jim Kelly summed it up with an understatement: “I guess it’s going to play a big part in our lives.”

These comments underlined some of the general feelings of the respondents and their attitudes towards the Internet, significant points discussed at some length in Chapter 6 of this paper. What was emerging at an early stage from the interviews was evidence of both an appreciation of some of the technological advances and scepticism towards the credibility of the medium, demonstrating the influences of the Internet not only on the reporting process but also on the reporters themselves.

However, on the technological front, another beneficial factor raised was the ability of journalists to monitor several websites, as well as radio and television channels, enabling them to keep themselves updated and to gain a more comprehensive sense of current news items. Simon Johanson (*theage.com.au*) explained: “I think it’s one of those situations of stories feeding on themselves and media picking up on following leads from other media.” Sometimes these leads came from international newspapers online (Paula Doneman, *Courier-Mail*), although Tracy Bowden (*7.30 Report* Sydney) was more inclined to accept her information was “driven by the newspapers and mainstream morning radio”. However, it was an interesting possibility that the news in the newspapers and morning radio was at least partly derived from the Internet, making it a source of monitoring and checking news, even if a secondary one. Many mainstream newsrooms keep their bulletins up to date with the help

of websites and ABC *Newsradio* is an example, where presenters frequently refer on air to websites they are monitoring.

Peter McCutcheon (*7.30 Report* Brisbane) was enthusiastic: “The great thing about the Internet is that you can go into any level of complexity that the consumer desires. You can use the links to go to greater depths.” He saw this as an evolution in story-telling, in light of the Internet’s different method of communicating and its wide reach to different audiences. This point of view was a direct confirmation of change, influenced by the Internet, in the way in which journalists presented their reporting.

“Technology has, for better or worse, exerted a fundamental influence on how journalists do their job” (Pavlick, 2000, p. 229). Nowhere is this more evident than in the case of the Internet and respondents were almost unanimous in acknowledging this fact, expressed clearly by Simon Johanson (*theage.com.au*): “It’s actually changed the nature of the reporting that we’re doing.” He explained this with the example of a court case, where a reporter would “pop out halfway through the case and file a story over the phone”. They would then publish the story and update it, with the resultant “incremental developments in stories that don’t appear in the paper. Reporters out on a crime scene will file copy as and when they can, as it happens and we’ll be publishing it within that time frame, so the accessibility is different”.

Furthermore, the reports published run the risk of influencing the jurors in the court case. While the criminal justice system might demand that its jurors remain uninfluenced by media reports on the matter they are adjudicating, this is a remote possibility in the technology of today. Although jurors might well be kept away from local print publications and broadcast stories, it is not as easy to divorce them from their computers and the far-reaching tentacles of the Internet. One past method of countering possible prejudice on the part of the jury was to apply for a change of venue. This might have been a viable option in the past, although Surette qualified even this alternative when he wrote of moving a trial to a place where it had received less heavy media coverage: “However, even a quarter of a century ago, a change of place was not often found to mean less bias” (1998, p. 106). With the Internet carrying that

media coverage ever further, here is another example of a shift in the media, crime and Internet dynamic, with the Internet itself exerting the major influence on that shift.

The data reported above all play a significant role in the media, crime and Internet nexus, not only in the logistical process of reporting crime stories, but also in the essence and nature of the stories themselves. This paper now moves on to examine the respondents' views on the possible influence of the Internet on the topic of newsworthiness, or news values.

4.3 News values and priorities

The intersection of media, crime and the Internet became particularly apparent when the topic of news values was considered. Responses by interviewees in this research revealed the responsibility of the Internet for changes in both definition and priority of traditional news values and these revelations are discussed in the relevant section of this chapter. Editors and producers select stories for their news value, an intangible quality that has been determined by audience reaction over the years. The definition of elements contributing to news values and comparison between those prevailing earlier and those deemed to be significant since the advent of the Internet had a considerable influence on the major research question. If the news values had changed substantially in either priority or description, some justification for this could reasonably be attributed to the influence of the Internet.

News value per se comprises a number of individual factors and, although the majority of researchers put forward similar key elements of newsworthiness, they differed in their priorities and definitions. Nonetheless, many practising journalists, particularly those who have studied specifically for their profession, have been introduced to it through the understanding of a number of widely accepted news values, even though they may not always refer to them by their conventional definitions. These are among the first elements taught to journalism students in the classroom or the newsroom and the individual values comprising the collective term have varied minimally between researchers, teachers and journalists themselves. To offer a fuller understanding of the elite interview results relating to this category, time is now taken in this paper to explain the process and thought involved in selecting relevant definitions of the term.

In the course of collecting data for this study, a number of references were found to Masterton's (1998) values, upon which the interview questions and categories relating to this section of the research were loosely based. Although not all respondents acknowledged consideration of all these values, it will be seen that most favoured the same one or two as criteria for selection and publication. Masterton (1998) referred to his doctoral thesis 'What Makes News News?' and his identification of three universal core elements and six universal major news criteria, as described in Chapter 2 of this thesis. He defined the three core elements as Interest, Timeliness and Clarity, with the six news values scoring highest in his survey listed as Consequence, Proximity, Conflict, Human Interest, Novelty, Prominence. Singer (1998, p. 10) referred back to an even earlier definition and asked the question:

Are news values such as those outlined by media sociologist Herbert Gans (1979) almost a generation ago, such as journalists' underlying belief in moderatism and social order, affected by the ease with which proponents of outlying, even revolutionary, views can be found and communicated with online?

In the fuller identification of news values conducted in Chapter 2 of this thesis, the Literature Review, sources cited included the Galtung and Ruge (1965, cited in Harcup & O'Neill, 2001) study, as well as elements of newsworthiness favoured by some universities including journalism in their curricula. Additional news values applying particularly to the reporting of crime and criminal justice shared with those of more general coverage the fundamental quality of being of interest to the public they are addressing. This aspect of public interest is the next focus of this study.

4.3.1 Public interest

Yet, taking into account all this data, as well as the extensive experience of most respondents, it was somewhat surprising to discover that, when respondents were asked to define their own news values, their responses indicated that one in particular had overtaken all others in order of priority and perhaps even consideration: audience interest. This was one of Masterton's three core elements and would equate overall with the term 'public interest' used by respondents. However, it also created a clear difference between 'of interest to the public' and 'in the public interest'. Garry Bailey (*The Mercury* and *Sunday Tasmanian*)

brought this issue to the fore when he said: “It really depends on not only the amount of public interest – not ‘in the public interest’ – balanced against what is the public benefit of publishing such stories.” A conference sponsored by the Nieman Foundation in 1995, titled: ‘Public Interest journalism: Winner or loser in the online era?’ (Webb, 2005), brought the ‘in the interest of the public’ issue to the fore and the answer, according to industry leaders, was ‘winner’. This conference conclusion emphasised the distinction between ‘in the interest of the public’ and ‘of interest to the public’, a distinction that introduced one more element into the news value equation, one arguably relating specifically to the reporting of crime and criminal justice: public benefit.

Andrea Clarke (Reuters, Washington) encapsulated the principle of public benefit when she spoke about the “obligation” to give more context to stories to encourage better understanding: “The Australian audience doesn’t necessarily have that background, so it’s really important just to broaden people’s horizons and take that responsibility seriously to educate people as well as inform them.” Garry Bailey (*The Mercury & Sunday Tasmanian*) stated there was “considerable public benefit” in the reporting of issues relating to the courts and to crime generally and Tracy Bowden (*7.30 Report*) described it this way: “It comes down to information that may be of interest to people, that may affect their lives. I guess they’re the criteria to some extent.” Jim Kelly (*Sunday Times*, Perth) added: “As far as crime goes, any high-profile crimes, particularly nasty crimes, just matters of public interest” and Paula Doneman (*Courier-Mail*) said a determining factor for her would be whether she thought it was important enough to have someone on the public record. Michael Corkill (*Courier-Mail*) stressed the importance of people realising there were penalties and consequences for their actions and Simon Johanson (*theage.com.au* online) explained his publication addressed the public interest factor by adding items such as “mugshot photos” often submitted by members of the public and by providing hyperlinks to other sites such as police reports.

Public interest in crime was a factor mentioned by many of the interviewees and this recognition of the audience attraction of crime stories reflected a marked difference from findings recorded by Grabosky and Wilson (1989, p. 10) who determined “the relative importance of crime news” had declined over the two decades previous to their publication.

Here it could be argued that the Internet has been and continues to be a contributory factor in creating public interest and as such could well be exerting an influence on the reporting of crime and criminal justice, together with a noticeable effect on the synthesis of the media, crime and the Internet.

This influence might be felt in even the smaller communities, where traditional publications cater more specifically for the sometimes parochial interests of their audience. However, this dictated that the impact was likely to be confined to items of local interest, as explained by Therese Ryan. Representing the community publication *The Gloucester Advocate*, her focus was more on that of the small, local community. “My crime and court reporting is based on what happens in Gloucester”, she said, “and what’s available through the local police”. She pointed out that focus needed to be maintained on the local community; if it were not, the residents would not buy the paper. “If I have national and international issues, nobody’s going to buy the paper”, she said, endorsing the earlier view: “Crime in Australia is primarily a local issue” (Grabosky & Wilson, 1989). On the surface, this would have indicated that her particular example of traditional media in a local community might not have been influenced by the Internet when reporting crime, although this did not necessarily mean the local community was not obtaining its more national or international crime news from other sources. Another point to be considered was that the local media might have been hard pressed to find space to cover the smaller local stories. In contrast, regional print journalist Tony Wilson (*Courier-Mail*), using the term “readership appeal”, said his first priority was to the region, but that stories needed to have a “broader appeal”.

This apparent lack of influence on community media was also highlighted in responses from local radio respondents. One news editor of a community station said he paid no attention to the Internet at all, either for background or material, or even as a source of stories. John Knox (97.3 *FM*), who retired in 2007 after a career spanning more than 50 years said the Internet would be the “last card in the pack” when researching material for radio news reports. He paid little attention to the Internet as a source of either material or research and admitted his idea of audience interest was “a little bit subjective”, citing finance and security as rating more highly than crime in news value priority. It might be supposed that

this was directly in accordance with the interests of the listening audience and whatever listenership surveys had been undertaken by that particular radio station. Yet radio stations, in common with their traditional print and television counterparts, need to attract advertisers and this point must influence to a certain degree their news value priorities. “Hence news, like the advertising system that supports it, moves in the direction of non-discursive, entertaining formats of presentation” (Ericson et al., 1991, p. 36), a statement pinpointing the significance of entertainment in the news value mix. “If a story is deemed to be good for people, if a story is just fun, stories could be of popular interest” (Kim Jordan, ABC News).

4.3.2 Entertainment

Michael Corkill (*Courier-Mail*) made the generalisation: “I think for a lot of people it (crime) is probably a source of entertainment to a large extent ... we have a larger responsibility to entertain”. When the radio reporter from the ABC introduced the word “shocking”, saying any story meriting that description would immediately increase its news value, his thinking was clearly in line with that of Ericson, Baranek and Chan (1991, p. 36) who quoted Seaton (1980, pp. 96-7): “News that is relatively discursive, and unadorned with sensational and dramatic constructions, fails to hold readers and therefore fails to sell goods.” They repeated: “... the new focus on sensational crimes is in part explained by their entertainment value” (1991, p. 36), another factor recognised in the earlier study of Grabosky and Wilson (1989, p. 11) and perhaps related to the bizarreness category of their news values (1989, p. 12). Also, on the radio channel *NPR* Scott Simon said “Crime stories have become, and really always have been, a form of popular entertainment in journalism” (Simon, 2006), supported by Tracy Bowden’s (*7.30 Report*) contention that “what we do is sort of story-telling and so a court case or a crime has all those elements that make a good story”. Thus news, once considered information, now competes with the tabloids and television, becoming a part of the entertainment arena.

Crime stories are real-life drama and entertainment, with talk shows and panel discussions on television and radio encouraging the audience to put forward their views and have a say about the crimes and who might have committed them. Online, a multitude of interactive websites take this aspect to the ultimate degree, once again exerting the influence of the Internet on the nexus of this study, media, crime and the Internet. The progression of crime

reporting to entertainment was provided by Surette: "... crime stories have become the mainstay of new hybrid news-and-entertainment of info-tainment programs" (1998, p. 227). He then drew this comparison more into the realms of the everyday when later research stated infotainment had "always existed" (Surette & Otto, 2002). Moreover, they claimed the distinction between news and entertainment was not evident in present-day mass media, because "technology has changed the nature of the mass media and their crime and justice content" (2002, p. 444). This perspective is discussed at greater length in Chapter 6 of this thesis, but validates the inclusion of entertainment as a news value, particularly in the context of the reporting of crime and criminal justice.

Tracy Bowden (*7.30 Report*) included another facet of entertainment: "They (crime stories) are the most astounding human drama sometimes, too". Crime stories "play well ... if they've got a twist, or there's something amusing, or something quirky" (Murray Cox, AAP), a description bordering on sensationalism.

4.3.3 Sensationalism

Paula Doneman (*Courier-Mail*) took the concept a step further by applying it to crime itself. "It has its own 'Oh my God factor', 'How can anyone do that?' factor," she explained. However, she refuted the inclusion of 'sensationalism' as a news value, but did concede that crime reporting sometimes made people feel uncomfortable:

... because it may not look pretty. It may offend some people in how they look, it may upset an academic who thinks that they know better. I think that too often people jump to that conclusion that it's sensationalist when it's actually not. I think it's unfortunate but just by the sheer nature of what you find in crime coverage, you call it sensational. I think because it's crime involved, people in almost every circumstance think naturally in that equation.

The Internet would appear to be less sensitive about making people feel uncomfortable, as sensationalism is an undeniable element on many crime websites, which often include details not generally published in the traditional media. This presents yet another facet of the nexus between the media, crime and the Internet. More details are included in the Discussion

chapter of this thesis, as well as the demonstration case studies; however, these details are seldom found in more traditional publications, or even television programs and, if some of that ‘Oh my God’ factor has crept into traditional reporting, it can be attributed at least partially to online competition and exposure, another shift in the three-way intersection.

The Broadcast reporter recounted the story of a 16-year-old boy charged with the bashing murder of an 89-year-old woman and included the words “gruesome” and “brutal” to describe “aspects coming together” in the story, evidence of sensationalism serving as a news value. This chapter now moves to consideration of another traditional news value, proximity.

4.3.4 Proximity

Audience interest in crime has been expanded dramatically by the Internet, overriding to a large extent the fundamental news value of proximity. Philip Seib (2001, p. 100, cited in Thurman, 2007) said ‘distance’ may turn out to be meaningless in the era of cybercommunication. Yet Simon Johanson (*theage.com.au*) stated the online audience was particularly interested in the local story, a story which might not perhaps be significant enough for a newspaper to publish. “We find their interest in crime, weather, traffic, there’s a different skew on what people are interested in reading online as well.” This interest in the local story was endorsed by other interviewees, including Therese Ryan (*Gloucester Advocate*):

My priorities are very much local issues ... my crime is what I see in Gloucester and what’s available to the local police ... so if I start covering national crimes and that sort of thing, that’s going to blow the paper up.

In a *Radio Deutsche Welle* interview, Michael Rediske from the German section of Reporters without Borders spoke of the ease with which anyone could “start a blog and easily send and receive information beyond national borders” (Samson, 2008). However, he also cited “collaborative editing” as an essential requirement of citizen journalism. In 2005, Amy Dorsett, reporting on a workshop in San Antonio, said speakers had noted that “blogs have succeeded because readers crave information that newspapers consider too unsophisticated to cover, from high school sports to obituaries” (Dorsett, 2005). A study

investigating how citizen journalists actually obtained their news and produced their stories found that, in comparison with their traditional media counterparts, citizen journalists “rely less on human sources ... and the human sources that they do use are unique” (Reich, 2008, p. 746). The study found that citizen reporters produced original stories and often took their own film and examples of this are frequently seen on television when major news stories break and ordinary citizens are first on the scene. There is also a demand for news websites to accede to requests from readers who want to express their own views (Thurman, 2008).

Gail Phillips (Murdoch University) gave localness as the reason for acquiring her news from the radio: “... if it’s close enough to the hour that there’s a bulletin going on there, largely because I suppose it’s closer to the local story and localism in the audience to be addressed”. Similarly, Tony Wilson (*Gold Coast Bulletin*) stressed his editors’ requirements for the “regional angle first and foremost” and Kevin Naughton (*The Advertiser & Sunday Mail*) said a news story had to be “something that interested the local audience”. When he was asked whether he would pay more attention to big crime or small crime, his answer was unambiguous: “Local crime”.

On the other hand, Murray Cox (AAP) approached the debate from the perspective of a news agency supplying media outlets all around the country and suggested the idea of proximity had perhaps gone too far, particularly in the United States: “... this idea of hyper-local reporting, which just means that all manner of information ... can be posted up ... with no valued judgment being made about its newsworthiness or interest value”. This raised the question of whether some media outlets placed too high a priority on proximity or localness, to the detriment of other newsworthy elements. Andrea Clarke (Reuters, Washington) was surprised by the international demand for the California-based story of Laci Peterson, whose husband was found guilty of murdering her and her almost full-term baby in a case covered by all media world-wide. The story was “judged by the Reuters news editors here to be just a straight local crime story, which would hold no interest for our clients abroad”. Yet international clients all requested continuing updates on the story. In this instance, the element of proximity was overridden by other values, with the Internet exposure contributing to a shift in the media, crime and Internet dynamic.

Yet the same interviewee, based in Washington, contradicted the idea of excessive interest in hyper-local reporting in the United States by stating that her organisation would not bother covering “99 percent of the crime stories that are on the Internet, because they’re too local”. This added yet another dimension to the consideration of proximity and emphasised its different positions on the news value continuum.

For Kim Jordan (ABC, Perth), localness, or proximity was not a major concern: “No, it doesn’t have to be close to the audience, not at all, not at all. You’d lead with a major story from overseas if that was deemed to be the most important story of the day.” Gary Hughes (*The Australian*) agreed that, if the story were big enough, proximity would not be the major issue. However he qualified this statement: “People who come to some website in Melbourne, (do so) not because it’s a great global publishing source that has all the world’s news ... (but) because it’s a Melbourne news outlet and they want to read Melbourne news”.

These diverse points of view reflected the generally ambivalent way in which proximity was regarded by the respondents as a news value in crime reporting and it is elaborated upon in Chapter 6, where it is considered in conjunction with data from the demonstration case studies. These show that once coverage of a crime finds its way on to the Internet, the crime’s significance and consequent news value extend far beyond its own borders, influencing the criminal justice system as it relates specifically to trials and juries. This chapter now focuses on the topic of currency or timeliness.

4.3.5 Currency/Timeliness

In this area, results from this elite questioning process confirmed the contribution of the Internet to the inherent news value of any crime report, as well as the technology and speed of sourcing and publishing it, recognised in February, 1977, “... when the *Dallas Morning News* used its website to break a major story about Oklahoma City bomber Timothy McVeigh” (Massey & Levy, 1999). However, this was not always a positive factor, according to Deborah Knight (*Ten News*). She pointed to the complications in the wake of the acceleration process of the Internet, saying: “The news changes so quickly now that you’ve got to keep on top of a subject that maybe needs more analysis.” Its ability to be updated or changed literally within seconds makes online reporting a serious rival to its

traditional counterparts, many of whom publish or broadcast to pre-set deadlines and time schedules. However, this same respondent acknowledged the Internet had counteracted this disadvantage with its speed and resources of facts and figures on particular events or topics.

Currency was acknowledged by researchers and interviewees as an important news value and timing could often determine the priority of traditional media coverage of a crime report. For example, in many cases television coverage is still largely influenced by broadcast schedules and timing of major news programs. A story breaking close to deadline might have to be confined to a few sentences of ‘breaking news’, with fuller coverage offered in the next bulletin. Print is even more restricted, with its lead time for the editing and printing process. Radio has a greater ability to interrupt scheduled programs with breaking news reports, needing only a reporter and telephone in the field to bring listeners up to date with breaking news.

Simon Johanson (*theage.com.au*) provided the definitive evidence that in this regard at least the Internet has undoubtedly had an impact on reporting of crime and criminal justice in the traditional media. Comparing the “one deadline a day” practice of most print organisations with the ongoing nature of online news, he said the Internet had actually “changed the nature of the reporting that we’re doing”. He said it had also changed the nature of the audience’s definition of news stories and influenced the way that stories were reported. His online publication was now more inclined to report stories more or less as they were happening. He cited this example:

We’ll have a reporter in the courts covering a case and they’ll pop out half-way through the case and file a story – the proceedings so far – over the phone. Then we’ll publish that story, then we’ll update with the rest of it at the end of the day – a bit further on in the day – so we’re getting incremental developments to stories that we don’t get in the paper.

Deborah Knight (*Ten News*) offered the opinion that it was also much quicker now to obtain statistics about particular events or topics, which Peter McCutcheon (*7.30 Report*, Brisbane) linked to obtaining access to court judgments, particularly when reporting on a case in another state. These developments have a direct bearing on the news value of

timeliness and point to an area of direct influence in the media, crime and Internet intersection. A reporter could save hours of legwork, as explained by Neil Mercer (*Sunday Telegraph*):

When I started, you had to go down to the court, you had to go through all the paperwork, you obviously had to go to the desk, you had to apply for it, whereas now it's just immediately available ... if I can't find it, I can call somebody at Supreme Court and they will email it (court judgment) to me.

In addition, this timeliness factor allowed the audience to have access to information immediately, now a quality of the Internet largely taken for granted by the public.

However, Murray Cox (AAP) criticised this general acceptance of timeliness on the Internet by some outlets who wanted news on their websites but, because they didn't understand the news process, wanted the stories "before the news happened". Their frustration was having to "wait for news to happen" before they could have it. Similarly, Neil Mercer (*Sunday Telegraph*) described the dilemma facing an online edition of a weekly newspaper with an exclusive story: "The last thing we want to do is put our stories on the Internet if they're exclusive, before they get in the paper."

These views offered a different slant on the value of timeliness and currency as they related to the Internet, again demonstrating the complexity of certain news values in this context.

4.4 Interactivity

"If the Internet could not offer any more than its traditional counterparts, what would be the purpose of online journalism?" (Deuze, 2001) This particular question introduces a new news value and is a further example of how the media, crime and Internet equation again reveals the influence of the Internet in effecting change. Online review of the December 2005 Cronulla riots differed exponentially from that in traditional media. Among the many websites dealing with the issue – including a number relating directly to reports in the traditional media and their online counterparts – was a lengthy and constantly updated account on the free encyclopaedia Wikipedia ("2005 Cronulla riots", 2006) which, although

not considered a reliable or suitable reference for academic purposes, exemplified the influence of the Internet in this instance. Both Salwen et al. (2005, p. 133) and Gunter (2003, p. 15) referred to the interactive quality of the Internet, a major characteristic of Wikipedia, a site on which the public may insert or change information at will. This ongoing contribution of information and opinion reflected public interest in the relevant subject and, as public interest was shown to be the major consideration of most interviewees, it was probable they would take this feedback seriously enough to allow it to influence their own coverage of the topic, a further shift in the media, crime and Internet dynamic. The emphasis on this Wikipedia site was on the adversarial nature of the story, the conflict between two sides, conforming to traditional news values. Yet the public interest angle reinforced by the interactive element of the Internet would perhaps point to a change in priorities of news values in this instance.

In addition, Murray Cox (AAP) described this interactive element as encouraging the concept of “news becoming a conversation”. The respondent favoured the idea of a reader being able to point to possible inaccuracies in a news story, so he could “engage with them” and disagree, if necessary. He identified the lack of interactivity experienced in a news agency as putting them “in a difficult position”. However, he added: “I think a lot of old media reporters are deeply sceptical and suspicious of that and I think a lot of them feel above questioning.” This reinforced a comment made by Gail Phillips (Murdoch University): “... until journalists themselves see the web as an alternative means of delivery of their product, you’re going to have barriers that inevitably are going to mean that the quality of web material is going to suffer”.

In the same way, Gary Hughes (*The Australian*), also editor of a crime and justice blog site, referred to the issue of feedback and the ability to comment:

People will question if you don’t link to your source material and I’ve also found they will go back to that source material, they will read it and they will compare to your interpretation of it and, if they don’t agree, they’ll come back and make that pretty clear.

He considered the accessibility of Police Department media releases and similar information had encouraged more of a debate, but admitted his view might be a little “‘coloured’. I’m running a blog and a blog by definition is itself a debate.”

The additional scrutiny given to the Internet was another factor raised by Neil Mercer (*Sunday Telegraph*), who found it “sort of amusing” to look back on his own stories occasionally and read public comments: “Instead of it happening in letters now, it’s happening on the Net.” He cited a story he had covered about some “ram raids around Sydney” which had included CCTV footage on their website. Because the people shown were wearing balaclavas, the website received “a number of comments about how they were of Middle Eastern extraction”, initiating an online debate between members of the public. He said this, on the one hand, “in a material sense is an example of free speech, but yeah the safeguards are something I guess are a work in progress”.

Simon Johanson (*theage.com.au*) explained sometimes readers’ contributions such as photographs were used in hyperlinks from crime reports, but some other respondents tended to discourage online interactivity because of the supposed inability to monitor such contributions before they appeared. This topic is discussed directly in Chapter 6 in the section on Gatekeeping, a critical factor in selection of stories for publication.

4.5 Selection

Selection of news stories depends on their newsworthiness in the eyes of the editor or producer of any particular publication or broadcast. However, where reporting of crime and criminal justice is concerned, other factors come into play. Interviewees were asked their reasons for including crime stories in their coverage and their criteria for selecting those stories they carried. Andrea Clarke (Reuters, Washington) and Jim Kelly (*Sunday Times*, Perth) both spoke of their conviction that most people were fascinated with crime, but Andrea Clarke modified that criterion with reference to the “responsibility not to just report crime for the sake of reporting it”. As the news agency reports for transmission to many different clients with different interests, she felt this allowed it to be more selective in its reporting. She compared this with her experience of reporting for television in Australia, where she had found crime to be a “major part of the bulletin, to a degree where I saw it as

somewhat misleading to the audience”. News agency selection of stories was also influenced by the available visuals and, if pictures of a particular story were not available, the story would be unlikely to be covered. The online publication *theage.com.au* filtered through hundreds of stories each day to find the best picture stories for clients in the US and in Australia, with frequent checks of the Internet to remain up to date on current and breaking stories.

The effect of crime stories on the audience as a selection criterion was referred to by Deborah Knight (*Ten News*, Sydney), who asserted that crime affected both individuals and the community at large, while the Broadcast reporter found crime and court cases “an essential part of reporting”, despite their sometimes “gruesome” nature. He went so far as to say that if these cases were not reported, it would result in a “disgruntled audience”. Dave Killick (AAP) also said their subscribers “demanded it” and his organisation had appointed a level of resources, including three full time court reporters, “because those are stories our subscribers like and they’re relatively easy to get”. Paula Doneman (*Courier-Mail*) put forward the view that crime was concerned with “personal safety and everything that ripples out from that”, although Jim Kelly (*Sunday Times*, Perth) added the rider that crime reporting did need an educational element. Tracy Bowden (*7.30 Report*, Sydney) described crime stories as “the most astounding human drama” (mentioned previously in the Entertainment section of this chapter), although her decision-making process was determined not by the Internet, but by the newspapers and morning radio.

Murray Cox (AAP) referred to the “unusual” situation applying at their NetDesk where, because their clients represented a diverse range of media outlets with interests in different content categories, to a certain extent news judgment was being “taken out of their hands”, as they had to supply stories matching the needs of their clients. John Knox (*97.3 FM*) identified a much lower level of crime reported on his station: “...something like the mobile phone company cleaned out of all their mobile phones, [warning listeners] to be on the lookout for mobile phones”. Yet, even at its relatively low end of the crime continuum, this aspect of crime was still considered worthy of inclusion in overall news coverage.

4.5.1 Reasons for including crime in overall reportage

Running parallel in this study with newsworthiness and selection of stories, was the question of crime reporting itself. Why did editors include the topic at all? If, as seemed to be the case, it was regarded as an essential part of the news mix by traditional media, how did it differ from its online version? Respondents offered varying responses. The ABC radio news reporter said “If there were any areas of news reporting that were essential to the game, it would be crime and court and probably politics as well.” He attributed the popular interest in crime and court cases to their “gruesome nature”, or an element he described as “disturbing”. He claimed that, if crime were excluded from coverage, the audience would be dissatisfied, a view shared by Murray Cox (AAP), who said clients would “complain” and “remonstrate” if they were not sent the high-profile celebrity style crime stories. Jim Kelly (*Sunday Times*, Perth) also considered everyone had an “interest and fascination” with crime, because of the way in which it affected so many members of the public.

Peter McCutcheon (7.30 *Report*) defined his reasons more as a consideration of items likely to appeal to a national audience, with some elements of public interest. “The criminal justice system and our system of due civil jurisdiction is obviously an area and there are often issues that arise that are of the public interest.” This was repeated by Michael Corkill (*Courier-Mail*), whose reason was “pretty much a case of the best story that’s thrown up in the courts that day”. It is likely that the best story “thrown up in the courts that day” would have been substantiated with a comment from an appropriate authority or spokesperson on the subject.

4.6 Claims-makers

Few major news reports today, particularly in the broadcast media, fail to include commentary or opinion from a recognised authority in the field. What was of interest to this study was whether the accessibility and choice of such spokespeople had been influenced by the facilities offered on the Internet. Many news outlets had their own resources for such comment, often making regular use of academic sources for the purpose. With the encompassing reach of the Internet and its easy access to links in every area through the simple use of a search engine, it might have been reasonable to assume that editors and their journalists would turn to this rich source of possible contacts. However, with a few

exceptions, respondents showed a reluctance to change the security of their tried and trusted contacts for the unknown opportunities of the Internet. In his description of social constructionism, Surette (1998, p. 9) referred to four theoretical concepts: “claims and claims-makers, ownership and linkage”. He defined ownership as:

The identification of a particular phenomenon with a particular set of claims-makers who come to own the issue in that they are sought out by the media for pronouncements regarding its nature and the reasonableness of social policies directed towards it.

Claims-makers and their opinions are inextricably linked to research and are often used to validate or contradict academic or journalistic statements. From the basic exercise of using one of the many search engines (Broadcast reporter) to the convenience for a busy reporter of not having to “chase things up for yourself” (Peter Foley, *Ipswich Queensland Times*), many examples were cited of the advantages of the Internet with regard to locating spokespeople. However, Peter Foley (*Ipswich Queensland Times*) was quick to point out that the Internet would not be a first resource. Only if he had not been able to find someone through other means, would he look on the Internet for a recognised expert.

Deborah Knight (*Ten News*, Sydney) said the Internet had certainly made things easier. “If you put in a search in the Internet and you find specific matter and you can isolate specific experts in a field ... it broadens the amount of people you might perhaps go to”. Like the Broadcast reporter who found it easier to track down people for interviews, she said she could locate individuals’ telephone numbers and contacts “a lot quicker than the phone book and legwork”. In addition, she raised the possibility that a new book on the subject might inadvertently come to light through an Internet search, or new insight into the subject matter might be uncovered. Simon Johanson (*theage.com.au*) was in no doubt about the influence of the Internet:

It has raised the stakes of immediacy in terms of people who are commenting on stories and/or contributing information to stories ... the very fact we have to publish immediately means that we have to get people quickly and if we can’t get a person, then we move to the next person, so

that we keep moving with the story and get the comment or the other side of the story when we need it. In that sense, it has changed it, yes.

Jim Kelly (*Sunday Times*, Perth) pinpointed another advantage, namely that people not always eager to return telephone calls would often respond to emails, underlining yet another influence and advantage of the Internet. Graeme Butler (*Today Tonight*, Perth) called the Internet “invaluable” for creating awareness of potential spokespeople available to comment and said he could not “speak highly enough” of the facility. He also referred to people who might have posted an opinion on the web, although he acknowledged he would not quote such information or sources unless they came from a reputable site.

Nonetheless, not all respondents were as lavish in their praise of the medium. Although he used the Internet for the purpose, the Broadcast reporter described the exercise as “haphazard”, because of time restrictions and tight deadlines. Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) said he had no need to use the Internet. “If I wanted an authority to comment on something, I’d go to the mass of information that’s already available to us.” Furthermore, he reminded the researcher: “While a lot of this material appears on the web, of course, a lot of it in the first instance is sent to us in good old printed form.” John Knox (97.3 *FM*) and Tony Bartlett (*Sea FM*) reiterated they would not consider the Internet at all, as a source of either information or spokespeople. John Knox explained that his organisation would draw spokespeople “mainly from the police and to a certain extent victims of crime, victims from association, that sort of area”.

Peter McCutcheon (7.30 *Report*, Brisbane) cited the convenience of the Internet, as well as the possibility that a spokesperson sourced in this way might well refer to another expert or researcher and thus broaden the information available. Like other respondents, he said his first ports of call would be university websites. Therese Ryan (*Gloucester Advocate*) was one respondent who said she might use the Internet “in terms of chasing down numbers and things”, but in line with her earlier comments, she confirmed she would probably use a local spokesperson or representative to comment on her crime reports. Tracy Bowden (7.30 *Report*, Sydney) identified the Internet as a prime source for locating “talent”, or interviewees for the television program and said, if she were reporting a particular crime, she

would go to the Internet for a criminologist or someone who had already commented on the story. The Internet was considered an “invaluable resource” in terms of awareness of possible spokespeople by Graeme Butler (*Today Tonight*), who would look first online for a representative from a particular organisation and would sometimes find people who, while not experts, clearly had an opinion worth expressing.

Dave Killick (AAP) had found a Google news search helped with the “initial process of winnowing out” potential spokespeople and referred to the database ExpertNet, “but we don’t use it very often”. Neil Mercer (*Sunday Telegraph*) aligned the source of claims-makers with Internet technology in another sense: “I just phone people ... we’ve now got to the stage where ... this is not an Internet thing, it’s more a spin doctor thing, that you now have to email all the questions, rather than talk to somebody”. He seldom sourced spokespeople through the Internet, but was more inclined to call the regulatory or official body concerned and ask for an “expert”. On the other hand, Murray Cox (AAP) had no doubt that the Internet made the process easier:

The Internet has made lazy journalism ... changed the focus away from necessarily having truly original content or truly original quotes from someone, or finding the perfect expert. If you find the secondary expert, but find him quickly, that’s better than finding the perfect expert and taking two hours to find him.

Speed in this area was also of the essence to Andrea Clarke (Reuters, Washington), who stated her first course of action would be to do a Google search or “log on to an institution or a think tank website”, enabling her to line up an interview within 20 minutes. She found it important to find someone with a “truly independent view” and said the question was frequently debated in the newsroom, with the consensus that it wasn’t good enough to use the same people repeatedly just because they were available. “We have a profile on certain issues ... but need someone who can offer us a bipartisan view”. Tony Wilson (*Gold Coast Bulletin*) found the availability of claims-makers “one of the biggest appeals – I’ve got people all over the place now that I wouldn’t have ready access to before. I wouldn’t have known of their existence, so that’s a big yes”. When asked how he made use of the Internet

for this purpose, he said: “I’ve actually got a website that I can punch in a subject and it will give me experts.”

Deborah Knight (*Ten News*) acknowledged the Internet contributed to finding spokespeople in the first place and “broadened” the number of resources, although Paula Doneman (*Courier-Mail*) and Peter Foley (*Ipswich Queensland Times*) did not share her enthusiasm. Paula Doneman used the facility only “to find a number or something” and Peter Foley, if he hadn’t been able to find someone through other means, might look for a recognised expert in the particular field, but “wouldn’t be rushing into the first person who appeared as a so-called expert through the Internet”. Yet Gary Hughes (*The Australian*) said he had used the Internet frequently for finding spokespeople, although he would establish their expertise in the area first. He would run their names through his organisation’s database, as well as academic journals, or go to university websites.

The general consensus was that, even though the Internet might not be the first port of call in locating spokespeople or claims-makers, it was nevertheless a ready resource. Whether it was also a reliable one was another issue altogether and this aspect is discussed at some length in the next section of this chapter. The Internet has demonstrated its considerable influence and impact on the reporting of crime and criminal justice in the traditional media.

4.7 Accuracy and verification

Any journalist trying to establish long-term credibility in the profession can do so only with accurate, objective copy and interviewees’ responses would indicate that this criterion has not in their view changed in any significant way with the introduction of the Internet. Ericson et al. (1987, p. 292) wrote:

Factuality without verification also resides in already broadcast and or printed news. Reporters expressed the normative sentiment that one should never ‘lift’ material from another news source without checking it oneself. In practice material was lifted routinely without attribution to the news source. The material included background information as well as quoting the quotations of sources in other news outlets.

However, today that concept would have to take into account the Internet and this is where accuracy is surely tested to the limit. No authority or verification is needed to browse the Web or to access most of its information, nor is corroboration always provided to verify the authenticity of what is accessed. The very ease with which anyone can source or download from the Internet, or even upload on to its content, might well be the chief reason for its lack of credibility in the eyes of many journalists (Salwen et al., 2005, p. 148). When referring to the Internet as a source of information, several respondents put forward the same opinion: while they would certainly go first to the Internet for background information, they would be reluctant to quote from it in a news report. Dave Killick, Melbourne Bureau Chief of AAP, said the Internet had created “a bit of a minefield by putting all this information out there which you just can’t check”. Referring to the sourcing of court documents, he made the point that there was no way of knowing whether “the original source has been taken down, modified, subject to court orders”.

He put this into the context of a case his organization was researching, involving the murder of a “minor gangland figure”:

Now we were able to find the information quite quickly on the Internet, but what you can’t find on the Internet is whether there are suppression orders in ongoing trials that may touch on our reporting in this case ... we weren’t able to find out whether anyone had been charged with offences relating to this ... so you still have to go through the old-fashioned process ... it can be dreadful.

Tracy Bowden (7.30 *Report*, Sydney) agreed with a number of her colleagues when she said she would never use information from the Internet in a report, but would certainly turn to it for background detail and contact information. Michael Corkill’s (*Courier-Mail*) experience was that the Internet was not without its problems: “Just because it’s on the Internet doesn’t mean it’s correct, so it does give you that extra additional workload of having to work out what you’re doing.”

However, Paula Doneman (*Courier-Mail*) took a different slant on the issue of credibility with her own unorthodox point of view:

I think the public is mainly concerned with the trappings, so I don't know how important credibility and truth are to people. ... I think in terms of what they would see as more credible between the Internet and the print media, I don't know, because I don't think that credibility is a big issue for most members of the public.

This was a surprising comment and one which justified further investigation in the Discussion chapter of this paper. However, if credibility and truth are not, or have ceased to be a "big issue" for the public, part of the reason may be connected with an opinion voiced by Andrea Clarke (Reuters, Washington), who said she placed unqualified trust in wire copy emanating from Associated Press, Reuters or *AFP*, but would confirm anything else by tracking down the person or organisation involved. While she contended her agency in the United States took credibility "very seriously", she claimed the filtering system she encountered when reporting for television in Australia was a "lot looser" and she had been concerned about putting to air material that was sometimes "borderline, pushing the boundaries of editorialising". This aspect of editorialising presented as news is demonstrated by a number of news outlets in traditional media and exacerbated by the Internet with its multitude of sometimes speculative public contributions. In an online article, the *Online NewsHour Forum* (Jay, 2005) stated: "Public trust in the news media has been shaken by several scandals and lapses of journalistic judgment." However, whether this has resulted in truth and credibility not being a "big issue for most members of the public" is open to debate and will be explored in Chapter 6 of this thesis.

When discussion turned to the difference between the two media when reporting crime and to the interchange of material, Deborah Knight (*Ten News*) stated that, although the Internet covered crime in much more detail than the normal media could do, she would "never go straight to the Internet and use information". Like many other respondents, she said she would be far more inclined to use the Internet as a starting point for names and background, but not as a primary source of facts. Her opinion was confirmed by other interviewees, who acknowledged the advantages of the Internet in offering background and detail, but still viewed it with suspicion regarding credibility. "It can still be wrong", said Deborah Knight (*Ten News*), who had also found, despite the reach and accessibility of the

Internet that it was sometimes easier to call a contact for information than to search for it online.

This research has revealed the overwhelming reluctance of most interviewed journalists in the traditional media to accept the authenticity of information they found on the Internet, an anomalous situation discussed at greater length later in this thesis. Yet most of those same respondents acknowledged their use of the medium as a source of background information, leading to the question of how even this material was verified. How did journalists authenticate the information they took from the Internet? Most respondents still used the traditional means they had used for years, “checking against our own library files, by going to the people involved” (Jim Kelly, *Sunday Times*, Perth). Deborah Knight (*Ten News*, Sydney) would initially try and make contact with the person and “perhaps if they’ve written a book or something like that try to actually source the book. You tend to have to do a bit more cross-checking”.

Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) emphasised the advantages of establishing personal contact: “The first thing a reporter would do in those circumstances is build trust with the people he’s talking to, from police prosecutors to crown prosecutors to defence lawyers and even judges themselves and that’s possible in a small place like Tasmania.” He pointed out a salient fact: “You can’t have a relationship with the Internet. It’s not going to tell you things it’s not going to tell everyone else.” The Broadcast reporter said he would use without question material that had been broadcast by ABC radio or TV, or published by ABC online. However, he would use information from other publications as background, or additional material. The ABC was also cited by other elite interviewees as a reputable source of verification.

Articles on crime and criminal justice demand the highest standards of accuracy and several respondents stressed their insistence on accepting only known and reliable Internet sites. Michael Corkill (*Courier-Mail*) emphasised the need to use only “legitimate” sites. “For legal papers there is generally attribution at the bottom of the legal papers when you can phone and determine the authenticity.” He urged care in not overstepping the mark and, “if you’re not comfortable about your source, it doesn’t mean that it has to be ruled out, but you

have to make available to your reader your doubts or your ability to be able to confirm it.” Tony Wilson (*Gold Coast Bulletin*) followed much the same procedure. “I try and get two or three sources that come up with the same answer. However, if it’s New Scotland Yard or the FBI, I’d be happy to take them at face value.” Peter McCutcheon (*7.30 Report*) restricted his use to Queensland Courts or High Courts, or recognised web searches. He generally restricted his use of the Internet as a journalistic tool to “checking spelling and names of organisations and all that simple stuff from official websites”.

Gail Phillips (Murdoch University) was of the same opinion: “What I’m finding if I want to be able to view something on the basis of it being authoritative is that it’s come from a good brand.” She gave as examples online editions of *The Guardian* and *theage.com.au*, because “if it turns out that there’s an error, it’s something that will be rectified and I can mention the fact that it’s the source that got it wrong”. Graeme Butler (*Today Tonight*) was another respondent who would be comfortable with a “recognised” site: “Because it’s a free medium, there are so many things on there you just can’t back up.”

Similarly, a warning note was sounded by Gary Hughes (*The Australian*), who described the Internet as a “potential trap” and emphasised its resources had to be treated very carefully. His approach: “I will trust material that’s coming from a website that’s trustworthy.” He described the quality of material on the Internet “as going from indisputable at one end to fiction at the other” and stated that, as a resource tool, it obviously opened up a “massive amount of information” still growing.

So you’ve got a growing number of particularly government type or government agency databases that are building up and most of them have been adding to their databases probably since the mid to late 1990s. You’ve basically got access to the entire world and increasingly so.

John Knox (*97.3FM*) said he would not “just go willy-nilly and get from anywhere on the Net” and reiterated his earlier statement that the Internet would be his “last port of call”. Peter Foley (*Ipswich Queensland Times*) maintained it was important to look for more than one source of confirmation before quoting someone in an article, while Simon Johanson (*theage.com.au*) described a different problem, with the receipt of emails and online tipoffs.

In verifying these, he said he would go through the “same process as any other tipoff: basically cross-check the accuracy of the information” before making the call on whether to publish.

The readiness of interviewees to turn to the Internet for background information, despite their suspicion of its facts for reporting purposes, confirmed the results of research in the United States (*Media in Cyberspace*, cited in Pavlik, 2000). Findings there revealed that “almost all journalists use online tools for researching and reporting” and were “using the Web for gathering images and other materials”. However, where credibility was concerned, a survey conducted in 2004 among 223 attendees at the South Shore Women’s Business Network Expo in Randolph revealed that twice as many respondents believed print news including, importantly, online publications – to be more credible than broadcast news (Sutherland, 2004). The level of credibility and accuracy in any report will be determined to a significant extent by the quality of the research and resources supporting it.

4.8 Research and resources

The road to accuracy is paved with the bricks of research and interviewees’ opinions were divided on the value of the Internet as a research tool. Many respondents spoke of their continued use of sites they considered credible and reliable, such as the Supreme Court or Magistrate’s Court (Garry Bailey, *The Mercury* and *Sunday Tasmanian*) or their own material published online (Simon Johanson, *theage.com.au*). When the topic of specific crime sites online was raised, the consensus was that they were unreliable in the extreme. No respondent admitted to searching or using them as reference and Garry Bailey offered the understated view that they tended to have “an awful lot of opinion”.

However, amongst that opinion is included a certain amount of fact and Peter McCutcheon (7.30 Report, Brisbane) drew attention to some of the advantages of the wealth of information stored on the Internet when he referred to the case of Dr Jayant Patel (Hellard & Balogh, 2008). In this instance, a journalist from *The Courier-Mail* had entered just a couple of words into Google search engine and had come up with the man’s previous history in the United States, “something that escaped the regulatory authorities in Queensland”. If information of that importance was available so readily through a general search engine, it

would seem overly dismissive to negate the value of everything online and refuse to use the resource in a productive manner.

“News on the World Wide Web and other forms of the Internet is still a relatively new way of finding out what is going on in the world” (Salwen et al., 2005, p. 121) and this statement must apply equally to journalists and their research. Because the focus of this research was on the reporting of crime and justice and the intersection of media, crime and the Internet, it was of particular interest to ascertain how stories researched on the Internet were authenticated by the journalists. The Internet was confirmed as a source of material for the reporting of crime and criminal justice, although as stated elsewhere in this study, in many instances it was viewed more as background information than as data for publication. This was in line with the results of surveys conducted by Garrison (cited in Gunter, 2003, pp. 109-110), who reflected the same concerns. In fact, Gunter (2003, p. 110) said: “He also observed that many newsrooms viewed online resources in the skeptical manner in which they view traditional documents and human sources.” Garrison (1997, cited in Singer, 1998, p. 7) had also noted a “steady rise in the use of online information sources by reporters”. As these surveys were carried out from 1997 to 2000, it would point to the conclusion that little had changed the journalists’ perspective of this “valuable research tool” (Gunter, 2003, p. 9). Gunter (2003, p. 109) also questioned whether economics and the smaller number of journalists in the field might not result in their over-dependence on the Internet.

,lites interviewed spoke of the Internet “making things easier”, with its potential to access a search engine and find names and organisations previously unknown and the simple logistics of saving legwork: “The reality is that you can’t be getting out and about chasing things up for yourself.” Tony Wilson (*Gold Coast Bulletin*) used the Internet to source information about two young men from Northern New South Wales who had been arrested in Colorado in the United States on charges of armed robbery:

I sourced a local newspaper ... I went to their website, there’s a newspaper in Vale, Colorado, I rang the reporter ... and she was then able to put me on to the right law enforcement officer. She was happy to do that just because of the novelty of talking to a journalist in Australia.

Gary Hughes (*The Australian*) identified his main online source as Advanced Google, ... but I'm also aware of the limitations of Google and the way other search engines seek out material through static links. So, when you're researching on the Web, it helps to know how databases are constructed, so I might use Google to find a database rather than expect to find the actual source material.

Dave Killick (AAP) was also a Google supporter, although he confessed to preferring "the old system with the bulging clipping file". However, he was the only interviewee to volunteer a reference to Wikipedia. Even though he admitted its reliability was "bit questionable", he stated: "Now I love Wikipedia ... It's tremendous and I noticed *The Age* printed an article from it directly the other day".

Nonetheless, the use of the Internet for research purposes would seem to differ according to the journalists' familiarity with online techniques. A UK survey conducted by Williams and Nicholas in 1998 and described in Gunter (2003, p. 110) produced a number of unexpected findings related to the practice of journalism. One of these was "the experience factor", which resulted in senior journalists who had used electronic journalism before the advent of the Internet being heavier users of its facilities. A probable explanation given was that "young graduates were found to be inadequately trained compared to their older colleagues, as journalism courses had not really paid sufficient attention to teaching on the Internet" (Gunter, 2003, p. 111). In contrast, results from this study revealed the deep suspicion with which some senior journalists with the "experience factor" still regarded the Internet, a fact discussed in Chapter 6. Additionally, the need to address the lack of attention given to the Internet when training journalists emerges elsewhere in this study and from results obtained in this research would appear to be an issue worthy of both further research and practical implementation.

4.8.1 Attribution

Acknowledging sources is an integral part of a reporter's routine and attribution, a separate issue crossing the boundaries of both research and ethics, is included here as a corollary to research on the Internet. It was an imperative overlooked by some respondents,

sometimes deliberately and sometimes without too much thought. The Broadcast reporter said his references to the Internet would be rare and he would try to confirm any information he found there, although it is a “wonderful tool for pulling out previously published stories on cases”. He stated he would rather attribute any information gained in such a way to a “player in the story” than to the story on the Internet, a view endorsed by Tracy Bowden (7.30 Report, Sydney) who did not credit the Internet as a source in news stories, as “by the time they are broadcast they will have been confirmed officially by the ABC correspondent or something similar”. She also referred to the fact that if she were covering a crime story, she would most likely be sitting in the courtroom and would thus serve as her own reference. Jim Kelly (*Sunday Times*, Perth) said he would certainly credit the Internet if he used it as a source of information, but that he could not think of a “single case” where he had sourced something from the Internet. Michael Corkill (*Courier-Mail*) stressed the ethics of acknowledging the Internet as a source and mentioned that a previous publication he had worked with had included URL and email links with each story. Graeme Butler (*Today Tonight*, Perth) expressed a preference for using the Internet as an information tool rather than a source.

Simon Johanson (*theage.com.au*) claimed the online version of a story usually had fewer references to different sources and was more factually based than its traditional print counterpart, which generally had a stronger lead. However, some crime reporting warranted “very detailed multi-media coverage”, such as the gangland shooting in Melbourne, referred to earlier in this chapter. Neil Mercer (*Sunday Telegraph*) explained that if somebody had put something on the Internet that was “controversial” or “defamatory”, he would certainly cover that story saying, for instance, “allegations have been levelled on the Internet”. Dave Killick (AAP) linked attribution to the problem of plagiarism and said it happened in two ways:

One where people take the content and pretend it is theirs, or don’t attribute it. The other one is where it’s copied and is attributed, but put up on different websites. I could find material that I’ve had published, published on other websites and attributed, which is fair enough, but published all around the world.

4.9 Audience differences

Any investigation of the impact of the Internet on the reporting of crime and criminal justice must of necessity pay attention to the nature of the audiences of computer-based publications and of the traditional media. Is it safe to assume that the same people are reading the news in both sectors of the media and that the news content therefore can simply be transferred freely from one to the other? Dillman (2002, p. 15) gave consideration to this aspect of news production: “Part of the dilemma concerning this new (mass) communication medium is how to define the ‘person’ on the receiving end of a message in a global network that comprises people and machines.” How can that person be defined and, if there is indeed a difference in the audience of a global network, what is it?

The difference between audiences of the electronic and print media was emphasised during this discussion with Simon Johanson, editor of *theage.com.au*, with considerable experience in both print and digital media. Comparing the two, he said: “I think the news values that we use to define our coverage online are quite different from the news values the paper uses” and explained that this was largely as a result of the differences between the audiences of the different media. Andrea Clarke (Reuters, Washington) claimed audience needs were an important concern for her news agency, which had to be “a lot more selective about what we put out because not all of it is going to be of interest to our clients”. This was endorsed by Murray Cox (AAP), who stated that, because of audience interests, “a lot of the ideas of news judgment is actually being taken out of our hands and to a certain extent is happening as news line quota”. This suggested these news agencies were even more aware than individual media outlets of their audience interests, as in the news agencies’ case they directly influenced the course of their business.

Jim Kelly (*Sunday Times*, Perth), Simon Johanson (*theage.com.au*) and Neil Mercer (*Sunday Telegraph*) described the Internet audience as younger than its print counterpart, endorsing findings in the United States:

US teenagers now represent an online news audience of 16 million, according to the latest research by the Pew Internet & American Life Project. Three quarters of American teenagers now get their news from the Internet, up from 68 per cent in December 2000 (Kiss, 2005).

Nevertheless, Gary Hughes (*The Australian*) had found a “fundamental shift” in the last decade: “ I think that increasingly now older people particularly with broadband ... a lot of people who have been print readers all their lives who might retire, it suits them to read the papers online”. *The Australian* reported in August 2008 that since 2006, the proportion of Americans who said they got news online at least three days a week had increased from 31 percent to 37 percent and 44 percent of college graduates said they got news online every day, while a study by the Pew Internet & American Life project found young people “drawn into the news habit earlier, thanks to the Internet” (Johnson, 2006). A report from the Joan Shorenstein Centre on Press, Politics and the Public Policy stated two national surveys (18-30 years and 31 years and older) showed newspapers had “almost no appeal” for younger Americans, who preferred television or the Internet. Sixteen percent of the 18-30-year-olds read a newspaper each day and only nine percent of teenagers.

An interesting comment on this was made in the *Christian Science Monitor* by Larry Atkins (2007, July 6): “If newspapers want to reach out to younger readers, they need to include their voices”, a point worthy of consideration at a future date. On the other hand, broadband uptake in Australia had been referred to as “sluggish” (National Office of the Information Economy 2003, cited in Nguyen, Ferrier, Western, & McKay, 2003, p. 17) and Gunter (2003, p. 165) had pointed out that many news organisations “have frequently failed to make the necessary investment”. In the April-June quarter of 2008, “the rapid growth of online readership of newspapers around Australia has slowed and the circulation of most print editions has fallen” (Ricketson, 2008, August 15). Simon Johanson (*theage.com.au*) elaborated in some detail and was unequivocal in describing a difference between his audience and that of his print counterpart, defining the online audience as younger and more racy, looking for more detail and a quicker reporting pace. He also maintained the online version of a story had “fewer references to different sources” and would be “much more factually based,” with less of a “barrier” between the actual writer of the story and the publication. This had a significant effect on the way in which the news was presented online, a point of view confirmed by Jim Kelly’s (*Sunday Times*) rationale that “a whole generation coming up now that has grown up with computers that are not really interested in buying

newspapers”. Furthermore, according to Simon Johanson (*theage.com.au*), the online audience could pick and choose more easily in terms of what they wanted to read.

However, even these categories may well have signalled yet another unexpected effect of the Internet on the reporting of crime and criminal justice in the traditional media, namely that traditional reporting was now reaching a smaller audience. This was claimed by a report in Media Week (Shields, 2005, p. 8) that the audience for online news had increased significantly in the previous year and that “these sites’ print brethren were struggling to keep readers.” In addition, reading patterns represented yet another impact on the reporting of news, with the need to address the different needs of the different audiences.

However, Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) was unconcerned and put forward a different point of view, stating that at that time the stories on their website were taken directly from the newspaper. “They don’t change.” Nonetheless, he did agree that the audience should be “slightly different”, although his organisation had not yet analysed that difference. He also pinpointed another reason for the difference. “We have no idea where our people are coming from, but we suspect that from the occasional correspondence that we get that it is people interstate and overseas who are seeking news from home.” This was in line with William Casey’s observations (cited in Garrison, 2005, p. 15) and his inclusion of “... displaced people who want to know what’s going on back home, even years after they left...”, a situation endorsed by Garry Bailey (*The Mercury* and *The Sunday Tasmanian*).

In this respect, what then has been the influence of the Internet on the reporting of crime and criminal justice in traditional media? Perhaps one obvious impact has been in compelling news organisations to provide additional stories for their online audience, even engaging additional reporting staff for the purpose. The presence and competitiveness of the Internet itself would seem to present traditional publishers with a threat to some degree. According to the respondents in this survey, some had countered the competition by launching online versions of their publications, perhaps an attempt to ‘have their cake and eat it’. Some others, who had chosen to ignore it for the moment, were still entertaining the possibility of future participation. Either way, the influence was acknowledged by interviewees and was thus

influencing their reporting in their particular mainstream media. Moreover, it was also conceded that the Internet might have made a long-lasting contribution to changing the nature of traditional media altogether. Simon Johanson (*theage.com.au*) explained it this way:

... they're more often going online than to television or radio, as they can get the information they want when they want it and know that they're getting the latest information. So I think what that is doing is changing the focus of newspaper reporting to be a reporting not so much of record but of analysis and depth.

Similar opinions were expressed by Gary Hughes (*The Australian*), who said he believed the range of audiences was changing all the time.

At the one end, you have people who only use the Internet and at the other you have people who only read print and then the spectrum in between takes you across a growing number of people who use both print and Internet and I think they use them for different things.

He explained that people used the Internet for “breaking, fast-moving news during the day...and they're still turning to print to give them analysis and more in-depth reporting and commentary”.

Defining the categories of people accessing online news also needed to take into account their numbers and the difference these might have made to traditional media. Online audiences, as noted by Simon Johanson (*theage.com.au*), could be more selective in choosing what they wanted to read, or which stories they wanted to follow. Those editors who have not yet analysed the audiences of their online publications could well be prejudicing their own chances of attracting the global audience they seek. Jim Kelly (*Sunday Times*, Perth) spoke about the new generation that had “grown up with computers”. However, access had now encompassed almost all age groups and, “as the younger computer literate generations grow older, so too will the market for the Internet” (Gunter, 2003, p. 42). Part of that influence could be the extent to which the Internet has affected the audience numbers of traditional media, although Stempel, Hargrove, and Bernt, 2000 (cited in Lin,

Salwen & Abdulla, 2005, p. 222) described the “symbiotic relationship between Internet news use and traditional news consumption” and concluded that at that time “online news patronage was not responsible for the general decline in news consumption” in other media. Times have changed, according to surveys quoted earlier in this section and the influence of the Internet in this regard will be discussed in Chapter 6 of this paper.

The importance of this point in this study was its impact on the reporting of crime and criminal justice. If audiences of traditional and online media differed greatly in number or definition, then it must follow that astute editors would have tailored their crime reports to fit the needs of their separate audiences. According to several respondents in this survey, this option had not yet been considered and some online publications carried exactly the same copy as their mainstream publications. However, at the Asian Media Information and Communication Centre (AMIC) conference in 2007, Alex Gerlis, head of training at the BBC College of Journalism said the competition of the Internet and its plethora of ordinary members of the public uploading content had “raised the bar” and forced mainstream media to be “more accurate, transparent and provide better analysis than the army of amateurs if they want to stay relevant and in business” (Chua Hian Hou, 2007, p. 5).

4.10 Production and life expectancy

“News production involves five interrelated components that together define ‘representing’. The components are visualizing, symbolizing, authorizing, staging, and convincing” (Ericson et al., 1991, p. 5). Included in the news production process was the question of the life cycle, or life expectancy of a story. This was likely to change dramatically if that story found its way on to the Internet, as described above regarding the coverage on Wikipedia of the 2005 Cronulla riots (Wikipedia contributors, 2006). It bears repeating that this website is not recognised as an acceptable reference for academic purposes and was selected for this one example because of its wealth of public comment and continuing coverage on this particular topic. When a website offered unrestricted interactive options for members of the public to signify their continuing interest in a story, a significant demonstration of interest was likely to encourage those editors and reporters who stress ‘public interest’ as a major news value to continue to give that topic a mention in traditional media coverage. This change in life expectancy could be attributed directly to the interactive

influence of the Internet. Also, the amount of public interest may well have determined the inclusion of a particular story, thus again making the Internet itself a new news value. When a story covered on the Internet was subsequently reported in traditional media, both the production and life cycle of that story were changed.

Neil Mercer (*Sunday Telegraph*) said he would cover a crime story he found on the Internet, if it “had relevance” for his publication:

If it hadn't been reported, if there was something on the Net I found interesting that I thought was news ... yes I would follow it...and you'd probably say you know it's been the subject of a lot of discussion on the Internet, but so far has not made it into mainstream media, or something like that.

Turning to the two respondents from news agencies, Murray Cox (AAP) referred to crimes that would never have been reported if the online media had not made them visual stories and “given traditional media a reason to become involved” with them. He mentioned specifically footage appearing on YouTube attracting attention amongst the school community before being picked up by traditional media and then involving the police, an incident to be discussed more fully in Chapter 6 of this thesis. He also spoke about “quite a young reporting staff” tending to “read YouTube or whatever, picking up stories” and said this trend would continue, another example of a change in the media, crime and Internet intersection. Gary Hughes (*The Australian*) had also looked at YouTube occasionally, but had used it only twice, once when he linked to a police video of a woman being tasered and once in relation to a print story “to do with the S11 protests in Melbourne” and complaints about police violence.

From an international perspective, Andrea Clarke (Reuters) confirmed the Internet in her organisation's newsroom was used “every moment of every single day”. She had to take into consideration what would be of interest to 300 broadcasters around the world:

... I can tell you that I'm probably looking at 40 different crime stories which I know for a fact are not getting a run through us because they're

simply not of any interest to our foreign clients. It has to be a major crime story in the US or an odd crime story ...

Simon Johanson (*theage.com.au*) said his organisation did keep track of crime, but did not source from the general crime websites. They also monitored other news websites, as well as radio, television and wire, a situation he described as “stories feeding on themselves and media picking up and following leads from other media ... if we thought the story was strong enough and warranted it, we would cover it ...”. Gary Hughes (*The Australian*) concerned chiefly with reporting of crime and criminal justice and running a blog on the same subjects, also expressed reluctance to use general crime sites. He found most of them were compiled from media reports and were more summaries than news. “I’m sure some of them are good and there’s one that looks at the Melbourne underworld which I’ve had a look at occasionally and that’s almost all sourced on newspaper stories.” This corroborated Edmund Tadros’s (*Sydney Morning Herald*) point of view:

If there’s a story that’s been covered in depth somewhere we might not bother with it for the pages if we’ve got nothing to add to it. But if it’s only been covered slightly, minor or we’ve got another angle or more interesting coverage, the fact that it’s online is just like appearing anywhere. You go and judge it and you can add to it ...

The Broadcast reporter said his organisation might be influenced by something the Australian Federal Police were reporting and pick it up only to be on top of the coverage. He spoke about checking on “robberies and bashings” with the police, being constantly aware of competitors’ coverage and perhaps the need to follow up one of their stories with the authorities. Peter McCutcheon (*7.30 Report*) referred to *crikey.com*, which he said he knew was read by “a lot” of other journalists, but was seen as different from other forms of media.

Kim Jordan (ABC Perth) expressed unambiguous support: “Yes, the Internet is where we go to see what our competitors are doing and in a way websites are a wake-up call.” He said if his radio people were monitoring another station that broke a story before they did, “we’d jump on it”. Nonetheless, despite the all-round acknowledgment of the Internet as a source of stories, Paula Doneman (*Courier-Mail*), Therese Ryan (*Gloucester Advocate*) and Kevin

Naughton (*Advertiser & Sunday Mail*) all answered with an unequivocal “no”, reinforcing the ambivalence of respondents to the influence of the Internet on their reporting practices. Further elements influencing the results of this particular point will be discussed in the demonstration case studies covered in Chapter 6.

4.11 Writing style

“Writing changes when technology changes” (Lule, 1998). The demands of different media dictate a difference in writing style and “on-line journalism needs to be comprehensive, accurate, concise and engaging” (Lule, 1998). In addition, because concern had been expressed about original reporting finding its way on to the Internet in other publications, it was of interest to discover whether the journalists in this study had changed the style or nature of their reporting in any way to take this ‘other’ audience into account. Also to be considered was the copy written by journalists and transferred to the websites of their own publications. Discussions with interviewees on this topic brought forth varying results.

Andrea Clarke (Reuters, Washington) remarked on the efficiency of the Internet in enabling stories to be assembled much more quickly, but said this had not affected her writing style in any way and she still wrote the way she did ten years ago. However, it must be remembered that news agencies do not write copy for direct broadcast. Garry Bailey (*Mercury* and *Sunday Tasmanian*) did not see the Internet as a competitor, but said, if an online site dealing specifically with crime had a particular style attractive to readers, he would have to “think about that”. The Broadcast reporter identified a “more populist” style emerging right across the board, probably a style that would appeal to a broader audience and Michael Corkill (*Courier-Mail*) thought the difference depended on the type of publication and whether the news was serious or more feature-based in content.

Few respondents found their writing style had changed as a result of the Internet, even when their work appeared there. Deborah Knight (*Ten News*, Sydney) said the Internet “was not something we specifically think about tailoring our stories towards”, but she pointed out that journalists at other channels might have to think about filing different stories for the Internet and television or radio. Peter McCutcheon (*7.30 Report*, Brisbane) said writing style

might differ “where you’re updating things by the hour”, but he generally confined his thinking to the television audiences. He felt that in future journalists might write for both the television program and the Internet site but, if that happened, the transcript for the Internet would be decidedly different. Michael Corkill’s (*Courier-Mail*) comparison was more between different outlets in the same medium: “It depends on whether you’re working for a broadsheet, tabloid, compact style; you tend to have a particular style whether you’re writing serious news or whether you’re writing feature material ... but the Internet hasn’t affected that”.

The difference in audience interpretation was a factor noticed by Gary Hughes (*The Australian*), who said he had become more conscious “that some material probably can be interpreted in a number of ways”. He tried to keep online writing “less complex, if not simple”. He said:

The blog I run is crime and justice issues as well as corruption, sometimes particularly if you’re talking about a court judgment or issues surrounding jury trials or sentencing which can be fairly complex issues, you try and keep the points you’re making fairly simple.

John Knox (97.3FM) said it would depend entirely on the circumstances and “what information we were able to find out from the Net”, but Kim Jordan (ABC, Perth) was more specific in his explanation:

Yes, the style of writing, because the style of writing for radio is so concise and different, the style of writing for television relies so much on being up by pictures. So web-based writing is print writing without the faff.

However, Neil Mercer (*Sunday Telegraph*), Kevin Naughton (*Advertiser & Sunday Mail*) and Paula Doneman (*Courier-Mail*) all said they were not aware of any change to writing style, a view Peter Foley (*Ipswich Queensland Times*) endorsed, to a point:

I wouldn’t think consciously that they (reporters) have, but I think just in general whether it’s with the Internet in mind or just other reports in mind, you do have to be thinking of the fact that there’s more immediate reporting of crime nowadays.

Jim Kelly (*Sunday Times*), too, was not convinced: “I don’t think it’s changed because of the Internet. I mean, we’re a Sunday tabloid, so we have more tabloid style, but that certainly hasn’t been changed by the Internet.” He differed from fellow print journalist Tony Wilson (*Gold Coast Bulletin*), whose articles on Schapelle Corby had been widely quoted in overseas media and who pointed out he had had to change his style of writing mainly to help other readers identify areas of Queensland. However, he felt that might have evolved without the Internet. He then raised a profound implication, not acknowledged by any other respondents:

I think the greatest area where it’s changed for me is that I’ve just got access to more knowledge. That’s the key and that would have to influence your writing at some point. It has to, certainly it should make you better. Knowledge is power and there is no excuse today for journos not having all the facts.

Peter McCutcheon (*7.30 Report*) confined his thinking “purely to the TV audiences”.

We actually don’t sit down and think about it that we produce an Internet product as well ... That may change because I know I’ve seen the ABC on the day after the article goes to web, or the main news page usually has a pointer to it ... it may well change in the future that journalists see equally the stories they write for the *7.30 Report* also written for the Internet, but you know it’s very early days, too.

The next focus of this chapter is the element of conflict and its position in the media, crime and Internet equation.

4.12 Conflict

An additional and previously unmentioned aspect of newsworthiness was highlighted by Michael Corkill (*Courier-Mail*), who identified legal disputes (including their consequent coverage) as always newsworthy and went on to emphasise that everything should be determined by how it affects the reader. “Legally it’s pretty much a case of the best story that’s thrown up in the courts that day, but also who it affects.” Referring specifically to crime reporting, he said:

... depending on what sort of crime we're talking about, the obvious, if there's a rapist running around, or there's gangs of youths like we had a while ago in Cronulla bashing people. Particularly if you've got tourists that might like to come and a lot of the stuff got into local newspapers and they wouldn't know what's happening, you know things change from day to day.

The Cronulla riots took place at Sydney's Cronulla Beach in December 2005, when "a fight between three surf lifesavers and a group of four Lebanese-background young men" (Kabir, 2007) was followed on December 11, 2005 by an incident when "racial tension turned to violence ... as at least 5000 angry people converged on the beach" ("Mob violence envelops Cronulla," 2005). Michael Corkill's comments above were borne out by coverage of the Cronulla riots on the Internet and the way in which this coverage differed exponentially from that in traditional media. Among the many websites dealing with the issue – and these included a number relating directly to reports in the traditional media and their online counterparts – was a lengthy and constantly updated account on the free encyclopaedia Wikipedia (Wikipedia, 2006), already referred to in this chapter and reflecting the continuing public interest in the story.

Despite conflict being regarded as a traditional news value, the only respondent who raised the subject was Simon Johanson (*theage.com.au*), who coupled it with the explanation that "people want to know what's happening". Yet conflict has long been recognised as a major news value, as shown by the cliché: "If it bleeds, it leads" and, in the context of crime, is almost a *sine qua non*.

4.13 Social Responsibility

A crucial consideration in addressing the major research question of this study was social responsibility, its *raison d'être* and continuing role in the journalism process. Deborah Knight (*Ten News*, Sydney) introduced the topic, emphasising the view expressed in *The Independent* that "Web technology has strengthened the traditional watchdog functions of journalists" (Gil, 2001). However, where Gil differed from Deborah Knight was that he identified the reason for this increased watchdog activity as the Internet's ability to allow

journalists to “probe more deeply for information”. This was not included among the views expressed by the interviewees in this study.

However, literature underscores the importance of the journalist’s role in maintaining the time-honoured principles of the profession. Grabosky and Wilson (1989, p. 12) referred to the “fourth role” of the media as providing a “focus for the affirmation of public morality” and Ericson et al., 1991, p. 5) wrote of the “moral evaluation” (1991, p. 5), stating further: “As disciplinary and normalizing discourses, law and news are both fundamentally concerned with *policing*, defined in the original French sense as a mechanism for the moral health and improvement of the population” (1991, p. 7). Deborah Knight (*Ten News*, Sydney) might almost have been referring to Thomas Carlyle’s original concept of the ‘Fourth Estate’ in her premise of newspapers, when she spoke about her conviction that, in the absence of reporters highlighting injustices, these injustices would simply continue. Referring to the research question and the topic of crime reporting, she spoke of the journalists’ “pretty important role” in informing the public of penalties imposed for crime and how as a result perpetrators “have been made accountable.” She also emphasised the need to inform the public about trends in crime, while acknowledging the media were equally important in bringing to public attention instances of wrongful conviction or overly lenient sentences. These concerns were without doubt instrumental in her reasons for including crime coverage in her overall reporting, again showing little change from earlier conclusions: “The news emphasis on control, law, and justice is central to news sources, who view the news first and foremost as a vehicle for helping them to enact and control their organisational environment” (Ericson et al., 1989, p. 286).

Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) put forward the same opinion and confirmed the media’s responsibility in keeping the public informed about issues relating to crime and criminal justice. “People need to know the state of law and order”, he said. “People need to know whether the sentencing practices of our courts for example are meeting, exceeding or failing to meet our community expectations”. His opinion was that the fact the courts were open to the public showed the need for the law to be seen to be transparent. In this respect, he confirmed earlier findings: “In reporting on control actions, there is not only a search for facts and truth, but also a quest for justice and authority” (Ericson et al., 1991, p. 284).

John Knox (97.3 *FM*) keeping to his principle of focusing on the interests of his immediate audience, acknowledged this responsibility on the part of the media and related the concept to a smaller scale of crime, such as the theft of mobile telephones: “Something like the mobile phone company cleaned out of all their mobile phones”. The message would be “If somebody’s offering you a cheap mobile phone, be suspicious because it’s probably stolen.” His reasoning was that the media were obliged to provide this service as a form of protection to their audience. On the other hand, Michael Corkill (*Courier-Mail*) thought it important for “the majority of people to realize that there are penalties and consequences for their actions”. Peter Foley (*Ipswich Queensland Times*) took a more long-term perspective and brought the educational aspect and its importance to the fore, by focusing on the fact that reporting crime might educate people on a particular issue and “possibly even make changes in legislation and things like that”. Here is another instance where increased coverage on the Internet could make a substantial contribution to the social responsibility of the media.

In the same way, Peter McCutcheon (*7.30 Report*, Brisbane) found the nature of the television program demanded a wider look at the issues involved, rather than the individual cases. He identified the questions of importance to him as “What are the circumstances that led to this?”, “How big a problem is it?” and “What public policy needs to be in place by government and authorities?” While these questions might not necessarily be influenced by the presence or crime reporting characteristics of the Internet, it is conceivable that it could play a pivotal role in contributing to or even changing the concept of social responsibility and this possibility is discussed in Chapter 6 of this thesis.

However, this point of view was not expressed unanimously by the respondents. Graeme Butler (*Today Tonight*) turned his attention more to the ‘of interest to the public’ element, which he felt was essential in the selection of a news story. Nonetheless, earlier findings still seemed to resonate with the interviewees, all directly involved with the reporting process today: “News is a discourse of efforts to control behaviour through law and to obtain justice” (Ericson et al., 1991, p. 284).

4.14 Legal issues

The influence of the Internet on the legal elements of traditional reporting was a line of enquiry considered particularly important to this study, concerned as it is with the reporting of crime and criminal justice. At first glance, it might appear the Internet was not subject to the accepted legal norms of publication in the traditional media. Driscoll (2005) pointed out that, in the United States, regulation applying to the Internet was similar to that applying to print and did not justify further regulation because “Internet content is invited into the home”.

However, from the outset the trend of interviewee responses pointed to the fact that most respondents believed the Internet had had little significant impact upon legal issues in the context of crime reporting. The consensus was that editors and reporters still felt themselves bound by the same constraints to which they had always been subject, despite the different values and norms applicable to the Internet. Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) summed it up: “We’d still be bound legally and ethically by the concepts ingrained in Tasmanian law about contempt, the Defamation Act, sub judice, on reporting on matters in Tasmania.” Peter Foley (*Ipswich Queensland Times*) and Jim Kelly (*Sunday Times*) both said they were bound by the same laws and principles, whether for print or Internet. However, no respondents expressed any excessive concern about regulation of the Internet, or volunteered any suggestions for the introduction of effective legislation. While respondents almost without exception voiced their lack of belief in the credibility of the Internet, none mentioned any serious consideration of whether it was possible to improve the credibility factor through regulation, other than the control of public contributions online.

Driscoll (2005, p. 85) agreed: “The Internet lacks the characteristics of the broadcast and cable media used to justify expanded regulation.” Michael Corkill (*Courier-Mail*) said his publication followed the “standard court rules ... if you’re going before a jury, watch your sub judice, if it’s going before a judge, it’s pretty much a free-for-all”. In contrast, Simon Johanson (*theage.com.au*) found himself faced with restrictions unlike those he had experienced in the print medium and the constraints he experienced were similar to those described by Dillman:

Publishing in an online environment presents other issues that the journalism profession and news as a business must consider very carefully. The legal status of the “publisher” of information can be called into question on the Internet with important implications for liability in the case of problematic content. (Dillman, 2003, p.ix).

Different legal aspects concerned some respondents. Kim Jordan (ABC, Perth) suggested the legalities arose partly because of the long life cycle of stories on the Internet: “The major difference we find from a legal point of view is people, when they see something in writing and can read it again and again, become more and more aggrieved and that’s when you get a legal letter.” Murray Cox (AAP) linked legal issues with research when he spoke about his previous experience with the BBC and asked a question:

... any time there was a big murder, a big crime, we had filed all the way through and we give incremental reportage on it, there was ... implicit pressure. Should we go into the archive and pull these stories out, because it’s more easily available. People can find them, therefore does that mean we’re in contempt?

Tony Wilson (*Gold Coast Bulletin*), referring to his articles on Schapelle Corby, said he was “conscious of it without altering things”, but Gail Phillips (Murdoch University) stated: “We’re becoming much more fast and loose in relation to the legal constraints that should apply in terms of prejudicing any future legal action.” She claimed newspapers and other outlets were really waiting to “get rapped over the knuckles”, rather than doing the right thing “in terms of constraining their reports”.

Neil Mercer (*Sunday Telegraph*) remembered doing a story (when he was with Fairfax) about bikie gangs and some arrests made by undercover police:

I’d taken some pictures of the undercover police officer meeting with the person who’d subsequently been convicted and we pixilated the undercover officer in the newspaper, but the online people failed to do it ... The guy wasn’t identified, because he was shot from the back of the side, so you couldn’t see him, anyway. But there seemed to be a lack of understanding at

online at that stage as to how critical some of these things were and I think it was a lack of journalistic background.

However, although the legal issues in respect to the online reporting of crime and criminal justice are many and varied, the one that was considered particularly significant to the major research question of this thesis was jurisdiction. It was also the one most easily identified by the elite interviewees and consequently became the main point of discussion. Where publications such as the *Sydney Morning Herald*, *theage.com.au*, *The Courier-Mail*, *Gold Coast Bulletin*, had their own online editions, editors and reporters were clear in their respect for the legal demands of jurisdiction.

4.15 Jurisdiction

Jurisdiction is of prime consideration in the reporting of crime and criminal justice and can be instrumental in deciding cases of *sub judice* contempt and defamation. It is one of the most significant aspects of the global nature of the Internet and this was brought to the fore by the landmark ruling in 2001 in the *Gutnick v Dow Jones* case of 2000 (*Gutnick v Dow Jones Co Inc* [2001] VSC305 (28august2001), which bears explaining here. *Barron's Online*, the online edition of a publication hosted by the Wall Street Journal and published by Dow Jones and Company, ran a story *Unholy Gains*, which included unfavourable comments about Melbourne mining businessman Joseph Gutnick. Gutnick sued the reporter and the publisher in the Supreme Court of Victoria. Dow Jones alleged the article had been uploaded in New Jersey and should therefore be subject to the libel laws of that state. However, this claim was dismissed by the Supreme Court, which identified Gutnick's place of residence as the area of greatest damage to his reputation. In December 2002 the High Court of Australia "upheld the exercise of personal jurisdiction" (Salwen et al., 2005, p. 103), basing international civil liability on Internet content (Salwen et al., 1995, p. 103).

The court opined that Dow Jones's fears of global liability in virtually any court in the world 'from Afghanistan to Zimbabwe' were unreal and said that publishers wishing to limit their liability in cyberspace would reasonably do so by considering the residence of the person they were writing about.

Driscoll (2005, p. 103) followed this with the footnote that, following an appeal to the United Nations by the reporter in question, “Australia might be forced to change its country’s libel laws if the U.N. finds that it unduly restricts the right of free speech.” Should this be the case, the reporting of crime would be an area significantly affected by the ruling, exerting a major influence on the three-way dynamic of this study. While this particular ruling applied to material published elsewhere and deemed inappropriate in this country, the situation needs to be viewed from the other perspective, that is in the context of material published here and then circulated globally online. Similarly, the effect of this legislation is felt as much by those who publish the information as by those who are on the receiving end. Mention was made by interviewees of means whereby material could be effectively blocked from appearing in another state or jurisdiction heeding Gunter’s (2003, p. ix) warning:

Online publishing opens up opportunities for local and regional news publishers to reach international markets. In so doing, however, their content may be subject to legal action under jurisdictions other than the one in which the publisher resides.

Dave Killick (AAP) explained that his organisation was able to limit transmission of stories to certain selected subscribers and now, when sub judice or contempt issues arose, they had to transmit those stories to traditional media subscribers only, omitting those online because of the “reach” of the Internet. This same system of locking out and blocking access to certain states was described by other elite interviewees. Deborah Knight (*Ten News*, Sydney) cited this as a way in which technology had had to adapt to meet legal criteria and the Broadcast reporter acknowledged that with national radio, consideration had to be given to suppressing names in one particular state or territory, whereas with Internet access, the broadcast reached all states, regardless. The case he cited when explaining this point was that of Bradley John Murdoch, accused of murdering British backpacker Peter Falconio in the Northern Territory; so broadcasts originating from other states had to take into consideration that those broadcasts could be heard across the border and consequently were not permitted to identify the accused.

The same case (discussed in more detail in the next chapter of this paper highlighted the issue of suppression orders, relevant to reporting in both traditional and online media. The

Right to Know coalition (2008) recently commissioned a report into the issue and described some suppression orders as so broad as to “effectively shut out” the public from some major trials, while others were “issued on flimsy grounds such as protecting the identity of public figures to save them from embarrassment when they break the law”. In the trial of Bradley John Murdoch (covered in Demonstration Case Study No 2 in Chapter 5 of this paper), a substantial portion of the prosecution’s opening statement was suppressed, resulting in an effort by the media to lift the order, with Channel 9 taking the matter to the Supreme Court on appeal (Barker, 2004). However, the NT Supreme Court ruled in favour of Magistrate Alasdair McGregor (NSW Community News Network Archive, 2005), with only one line lifted from suppression.

The Broadcast reporter also said he would identify in any story he sent out that there were jurisdictional issues in another state and that “if there are any potential problems of that nature ... there is an attitude of erring on the side of caution.” Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) acknowledged this consideration and pointed out that, where an article was deemed legally unsuitable for publishing in another state, his publication would “arrange that our newspaper for that day does not circulate interstate”. Some other respondents continued to follow the standard reporting procedure. One was Michael Corkill (*Courier-Mail*,) as mentioned in the previous section in this chapter and Graeme Butler (*Today Tonight*), Jim Kelly (*Sunday Times*), and John Knox (*97.3 FM*) all agreed the Internet had not influenced their consideration of jurisdiction. However, Peter McCutcheon (*7.30 Report*), who was based in Queensland but reported to a national audience, did “tackle cases that may have been before a court in another jurisdiction”.

Gary Hughes (*The Australian* and blog editor) said there was no such thing as jurisdiction on the Internet with its global reach. The way in which media outlets had coped thus far was by not publishing on the Internet anything that might cause problems in any particular state.

That’s still more or less the approach, but I think that sooner or later the justice system or the law or the court system is going to have to ... address the issue head on, because putting the onus on the media organisations is fine for the media organisations, but the other thing about the Internet, particularly through the proliferation of blogs, it’s given anyone the ability

to go and publish on the Web. So increasingly now you see material that is being put on the web that breaks the rules.

He said *The Australian* was “a bit different” because it was national, but it could be controlled more effectively because it could leave out a story about a court case in WA if there was an issue and cover it in the rest of the country.

Although Andrea Clarke (Reuters, Washington) said the concern over jurisdiction came down to whether or not it was a good story, Murray Cox (AAP) described taking jurisdiction into account by not allowing certain publications access to full archives, or by making a story available on their site for a limited number of days. “If we’re putting out a contentious story, we will always go for the safest version.” Gail Phillips (Murdoch University) said “mainstream media” in different countries were “much more answerable and much more regulated” and she had the feeling there was still “a residue of this whole issue of duties of mainstream media and their public duty to inform,” but they were getting “shakier and shakier”. Chris Smyth (Murdoch University) was expansive in his answer:

There have been a couple of occasions with the Internet crossing the borders of jurisdictions. A character who had been living in New Zealand and was baby-sitting a disabled young teenager killed a toddler in Perth. He was convicted here (Perth) of murder by the Children’s Court, but never named. But on his release he’s got to go back to New Zealand and in newspapers and by way of the Net he was named. There’s no breach of jurisdiction in New Zealand. There was a question that there could have been here, to have effect in New Zealand.

He said the matter could be taken to WA courts, but the material would have to be downloaded in Perth, “but then of course you’ve got to prosecute someone who’s not here. The point was to not name the person in the first place”.

Several respondents declined to comment on this issue, saying they had not noticed any differences with the presence of the Internet, nor had they changed their principles or reporting considerations as a result. Respondents working on regional publications were not

too concerned with the wider implications of jurisdiction. Neil Mercer (*Sunday Telegraph*) did not think about jurisdiction much, as he was writing for a Sydney/New South Wales weekly paper: “I must say we don’t get too much into what’s happening around the rest of the country. Jurisdictional things are not an issue for me, really.” By the same token, Peter Foley (*Ipswich Queensland Times*) said jurisdiction did not concern him and he didn’t take it into account, being more mindful of “the way other newspapers report things and the way the TV reports things and to a lesser extent the radio. I don’t take into account too much the way the Internet does report crime”. The exception was Paula Doneman (*Courier-Mail*), who stated she would normally worry about the same stories appearing online: “... particularly if a story runs on the Internet so it might be sensational or newsworthy ... we would always have in mind that they don’t have the same boundaries”.

Similarly, Kevin Naughton (*The Advertiser & The Sunday Mail*) was well aware of the need to consider jurisdiction and explained his position at length, demonstrating positive evidence of the media, crime and Internet dynamic:

We deal with it every week, every week, because we need to be conscious that whereas once upon a time we published within our own state borders and that was that, there are stories that you put up on your own website that of course can be read anywhere in the world, so you have issues there as to what you might be reporting from, for example, another jurisdiction. You might be doing a story on a case that involves, say, a South Australian man in an NSW court action. Normally you could have reported that here without too much difficulty, because you were outside the jurisdiction of NSW, but now, because of websites, you have to make sure that those stories for example, or particular versions of those stories, aren’t actually published on the website.

He explained that the difficulty was not the publication of the story, but the ability of people to contribute comments on the websites:

We found that to be a dangerous almost uncontrollable format. Quite a few stories recently for example that have not only involved legal issues related to court cases here, but inter-jurisdictional ones, we’ve had to make sure

that the stories were posted in such a way that there could be no comment at all.

At the other end of the scale, an unexpected reaction to the subject was that four respondents asked the interviewer “Exactly what do you mean?” when questioned about jurisdiction. It was clear some respondents had simply continued to observe the normal restrictions in place in their particular medium and had not given much thought to the fact that the Internet had no jurisdiction of which to speak, or did not know the meaning of the word. This is significant, in light of the abovementioned landmark decision in the case of *Dow Jones v Gutnick* (Pike, 2001). The relative lack of concern paid to this development and its consequences might indicate the need for a more thorough understanding of its implications by those concerned with the reporting of matters of crime and criminal justice.

In addition to the above, the question arose of the accessibility of the Internet being greater than that of, say, a library reference or print publication, which had to be searched for specifically, while the online reference was there for all to see while ‘browsing the Internet’. The burden this placed upon the online publication, according to Simon Johanson (*theage.com.au*), was that it had to act “more responsibly” as it encountered “different pressures than the print product would”. He cited the court case covering the Melbourne “underworld war” when Dominic Gatto was accused and later acquitted of shooting “hitman” Andrew ‘Benji’ Vienamin (Munro, 2005). The defence had objected to material previously published in *theage.com.au*, because it was so easily accessible on the Internet and would not have been as accessible in any other published or broadcast form. This journalist, in common with certain others, formed part of what might be called the “outer circle”, journalists who “work for ‘quality’ news outlets”, a definition used to distinguish them from those of their colleagues who obtained most of their material from the police newsroom (Ericson et al., 1989, p. 110). The authors credited the outer circle with being “professionally and analytically more detached from police sources, with the important mission of policing the police, rather than only policing with them” and arguing “that a close affinity with police sources ... was not acceptable if at the expense of their professional values”.

4.15.1 Sub judice contempt

Where pre-trial coverage was concerned, it was the editor of the online publication again who pointed out that it was the very accessibility of the Internet that often left it open to criticism from members of the legal profession. The question of sub judice contempt becomes particularly significant in this context. Gunter (2003, pp. 135-136) wrote about the possibility of coverage in the media influencing the outcome of a trial. Where, as Pearson (1997a, p. 25) stated, restrictions were deemed necessary “to avoid trial by media”, how much greater was that potential trial by media when the medium in question was the global Internet? This bore out the comment by Simon Johanson (*theage.com.au*) that the online media had to act “more responsibly” than their print or electronic counterparts. Tracy Bowden (*7.30 Report*) also sounded a warning on the dangers of neglecting to follow precautions when sourcing material from the Internet. “Before we used the Internet as a tool, we would be looking at what restrictions might there be ... in terms of getting yourself in a dangerous situation ...”. She was particularly aware of this when covering court cases that might not have received much publicity interstate, but which the producers of her program considered warranted inclusion in coverage in other states. The example she gave was that of a “Tugun home case, a missing child case, which has ended up with an inquest...considered interesting enough to work nationally”. Here is a direct effect on the media, crime and Internet intersection, an effect initiated by the unique global reach of the medium.

Yet, when this aspect was discussed in the context of the difference between the Internet and traditional media, some measure of comparison was provided by Simon Johanson, editor of *theage.com.au*. He was much more conscious of the differences between the needs of the two media and the impact they were likely to have on their target audiences. His contention was that the main impact of reporting on a case was felt when it reached court.

The pre-trial reporting that we do by its nature is much more accessible and may have more of an impact ... I’ve had a number of cases, situations, where I’ve been approached by lawyers of different parties with the proceedings under way in court, saying the material we’ve published in the past is prejudicial to the case in question and that they would like us to remove it.

However, Peter McCutcheon (7.30 *Report*) was unable to think of any pre-trial examples and claimed it was more a matter of convenience.

In the same way, problems relating to the publication of photographs have been exacerbated, with the need to take the Internet, its accessibility and lack of jurisdiction into account when publishing them, particularly where children are concerned. This topic was raised by Therese Ryan, editor of the *Gloucester Advocate*, NSW, who pointed out their increased awareness of the Internet in terms of crime reporting, particularly in ensuring the necessary consent for publication was obtained for photographs of children. In Australia, the law states: “It is prohibited under s189 of the *Child Protection Act 1999* to publish information which identifies, or is likely to identify, a child or young person in the context of intervention by the child safety system without the written approval of the Department of Child Safety’s Director-General”(Office of the Queensland Parliamentary Counsel, 2006). However, the Australian Parliament online Fact Sheet 3 stated: “The Internet is not governed by the same regulations as print or broadcast media, so photographers can display photographs or vision online” (Office of the Queensland Parliamentary Counsel, 2006).

The Broadcast reporter claimed the online editors were more careful than many traditional broadcast producers about what they published. Moreover, he pointed out that any story having the potential to present legal problems would need to be scrutinised and approved by the Corporation’s legal department. Deborah Knight (*Ten News*) professed that she worried more about the “broadcast side of things” than the print media, because she considered broadcasting to be more immediate. The anomaly of discussions on this particular topic was that, although the Internet is arguably the most immediate of all media, most respondents did not view it as a direct threat or competition, but rather as a ‘different’ sector outside the ambit of their own operations.

Michael Corkill (*Courier-Mail*) echoed the views of other respondents when he said: “Generally in court reporting you tend to err on the side of safety anyway and follow the old journo code ‘when in doubt, leave it out’.” Only one respondent admitted the Internet had made him “more mindful” of other publications, as well as of their reporting and that of television and radio. Jurisdiction was addressed from a different perspective, too, by Peter

McCutcheon (7.30 *Report* Brisbane), who looked at the advantages of researching court documents interstate. The Internet made it easier, he said, to get access to court judgments in other states than otherwise might have been the case. However, he identified a potential hazard of using material from the Internet without considering jurisdictional restrictions in advance as “getting yourself in a dangerous situation where you found something on the Internet and you suddenly think you can use that anywhere in the country”.

It was here that interviewees’ responses pointed to the need for greater awareness of the implications of the Internet and perhaps even to more structured tuition in the technicalities and practicalities of the medium. However, whether the sometimes ambiguous understanding of jurisdiction can be extrapolated to other legal issues is a matter for research at a later date. Ethics, too, proved to be a grey area with some respondents.

4.16 Ethics

“Ethics must come first” (Lule, 1998). Regardless of whether journalists are writing for the traditional media or online publications, their profession obliges them to observe the accepted code of ethics. Although Green (1997b) stated that computers could “complicate some ethical issues”, the *Online Journalism Review* said: “The ethics of online journalism are, ultimately, no different than the ethics of journalism” (Annenberg School of Journalism). This corresponded with the views of most of the respondents questioned, who stated that they continued to operate much as they had done before the advent of the Internet and that the Internet has not been responsible for any major change in their consideration of their professional ethics. Only two or three interviewees referred to the Journalists’ Code of Ethics (Alliance Online, 2009), the standard criterion for journalists in this country and Kim Jordan (ABC, Perth), claimed “you could drive a truck through” the Code of Ethics. Responses in this study suggested the media, crime and Internet nexus was unaffected by the Internet in this instance, at least from the editors’ and reporters’ perspective.

When the general topic of ethics was raised, Graeme Butler (*Today Tonight*, Perth) said he did not believe this to be unduly influenced by the Internet, because “at the end of the day, our ethics are governed by personal ethics and also the ethics of the program and also the journalists’ code of ethics and that hasn’t changed”. He emphasised that the Internet, like any

other media outlet and any number of personal opinions posted on the Web, had no impact on his own reporting. John Knox (97.3FM) said he “tried to be generally ethical from a journalist’s point of view”, while Simon Johanson (*theage.com.au*) emphasised the difference between “a responsible and high profile organisation” such as his company and other, more general publishers on the Internet. He saw this as a perception of greater accessibility by the community, and suggested the community felt much more able to complain effectively to the online publication. Because they had to behave more responsibly, he said his publication encountered different pressures from those of the print media. The Broadcast reporter put forward the opinion that it was easier to “scrutinise the story in black and white on screen” than to take the trouble to search for a radio or television transcript of a radio or TV bulletin.

From the perspective of an international news agency, Andrea Clarke (Reuters, Washington) declared the Internet allowed people to be “lazy reporting on general crime stories, because it virtually allows you to lift copy from one website to another”. She said, when it came to crime, there was “zero consideration for ethics and legal issues”. She also commented on the difference between the United States and Australia and the greater leeway in the United States for defamation and slander. “The media here get away because the laws are a lot looser. The media get away with a lot more than the Australian press which I find kind of mortifying.” She also claimed the Internet had “accelerated that ability just to spread information without necessarily requiring any journalist to do their own research”.

This was a similar point of view to Deborah Knight’s (*Ten News*), who said the Internet had influenced the ethics of journalism in that “a lot of the stuff on the Internet can’t be sourced as easily as perhaps ringing up a contact and getting the information from someone that you trust”. Her point was that people relied on the Internet “as being the correct information when it’s just like any other medium for information. It can be wrong”. Graeme Butler (*Today Tonight*) described his organisation’s ethics as being governed by “personal ethics and also the ethics of the programme and also the journalists’ code of ethics and that hasn’t changed”. He stressed they had to be “mindful” of the audience and that another media outlet like the Internet and its various points of view would not have an impact on how they did things.

Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) said his organisation was still “bound legally and ethically by the concepts ingrained in Tasmanian law about contempt, the defamation act, sub judice – bound by those on reporting on matters in Tasmania”. Relating the topic to public comment, Kevin Naughton (*The Advertiser & Sunday Mail*) claimed that, in newspapers, all comments were considered first for their legal correctness. “But, I think what we’re finding with the Internet is that the process is so instantaneous that there is no filtering to check those legalities. That’s why sometimes we have to prevent the process occurring.” Similarly, Gary Hughes (*The Australian*) pointed out that non-journalists publishing on the Web “were not bound by codes of ethics; technically, you are bound by the law, but realistically you’re not, because it’s a lot harder to find you and stop you”.

He then related jurisdiction to plagiarism, which he said showed itself in two ways: “One where people take the content and pretend it is theirs or don’t attribute it. The other one is where it’s copied and is attributed but put up on different websites.” He said if there were a legal problem with the material later on and the original news outlets chose to take it off the Web, “there would still be in some cases a dozen if not scores of other copies of it out there and quite often in jurisdictions that are beyond control of Australian courts in a lot of cases”.

The extra work involved in checking information on the Internet was an issue with Michael Corkill (*Courier-Mail*).

Ethically I think that it does add additional workload having to determine the legitimacy of any website and also to justify where any new information has come from, to attribute the information, so you have to be careful ... just because it’s on the Internet doesn’t mean it’s correct so it does give you that extra additional workload of having to work out what you’re doing.

This was endorsed by Gail Phillips (Murdoch University), who commented that very little integrity was being paid to future legal cases: “You can get away with saying anything anywhere now.” Tony Wilson (*Gold Coast Bulletin*) spoke of certain ethical implications of his work finding its way to the Internet, bringing to light another aspect. Careful as journalists might be about their own reporting, they had no control over the way in which their material was used online by any other publication, perhaps even in an unethical manner.

This could include such practices as excising certain portions of copy in order to change the meaning, omitting important aspects to detract from or focus on particular facts, misquoting spokespeople or witnesses. These practices would be equally as evident in the reporting of crime and criminal justice as they would be in other areas of reportage, in some cases even more so. There is no question that the scope of the Internet far exceeds the reach of any form of the traditional media. In addition, scope of publishing and exposure are magnified many times by the nature of the Internet, where copy from other media, both traditional and online, may be lifted and re-published in any context or manner.

The topics addressed in this and the preceding chapter demonstrate some of the differences of opinion expressed by respondents in this study. Some results have revealed the anomaly of their thinking and others have raised new issues to be considered. These, together with the results gleaned from the demonstration case studies in the next chapter, will be discussed and analysed in Chapter 6 of this thesis.

CHAPTER 5: CASE STUDIES

5.1 Introduction

Given the fact there was so much duplicate coverage in the material published in different versions of crime reports, both online and in traditional outlets, the decision was taken to investigate not only the influence of one sector over the other, but also the interaction between the two, with the objective of addressing the major research question.

Thus far, the study has demonstrated some strong influences by the Internet upon the traditional media in the area of crime reporting. These have included, among others, news values, research, the speed of transmitting and updating information, selection of stories, jurisdiction and audience differences. However, the point of the above has been to distinguish the traditional news organisations' Internet coverage of crime from their approach in their traditional publications. While it may be problematic to identify conclusively those instances where the Internet has been first with the story and has influenced the reporting of crime and criminal justice in traditional media, it has been less difficult to pinpoint the recurring interaction between the two sectors of the media. Each feeds off the other in its reporting cycle in a symbiotic relationship that gathers momentum as it passes from one form of media to the other.

This study now turns to three demonstration case studies to explore further this resulting duplication and to try to distinguish between these two forms of coverage. Three high-profile cases of crime reporting have been selected to demonstrate this interaction and exemplify some of the findings of the earlier elite interviews: the disappearance of 4-year-old Madeleine McCann in Portugal, the disappearance and presumed murder of British backpacker Peter Falconio in the Australian outback and the conviction of Schapelle Corby in Bali on a drug-smuggling charge. These three stories were selected for demonstration, because each has become a high-profile story and each has received extensive coverage in both online and traditional media. All are well-publicised examples of crime reporting and only the disappearance of Madeleine McCann, included for comparison purposes, is not Australia-related, although covered extensively by Australian media. All three have received controversial coverage: in the case of Peter Falconio, Bradley Murdoch has been convicted of

murder in the Northern Territory, although no body has ever been found and an appeal is now pending; Schapelle Corby was convicted of smuggling marijuana in Indonesia, but is still protesting her innocence; and Madeleine McCann has not been found since she was discovered missing in May 2007, when her parents realised she had disappeared from her hotel room in Portugal.

Although the main focus of each demonstration case study is female, this is coincidental and should not be interpreted as the reason for selection. The examples were chosen because each reflected high-profile coverage, afforded a wealth of media research and was topical and current at the time of writing.

As explained in the Methodology, steps followed in this section of the study were based largely on the case study methodology of Yin (1998; 1994; 2003). In addition, some purposive interviews were conducted with respondents who had a special interest in the relevant case. The case study methodology being used has firstly documented the facts of the case. Secondly it has applied them against the criteria obtained elsewhere in the areas of news and used these as a point of reference comparing and contrasting coverage for both traditional media and the Internet. Discussion of these issues is presented in narrative form, drawing upon all the evidence and upon the actual coverage of each case study in both the traditional media and the Internet, informing each discussion with some insights from the initial elite interviews. Examples are identified as far as possible according to the categories described in the Literature Review and Results chapters of this paper. However, additional categories have been included to allow for elements not associated with those already discussed. The first case study in this demonstration is that of the disappearance of Madeleine McCann.

5.2 DEMONSTRATION CASE STUDY 1: MADELEINE McCANN

Madeleine McCann (4) was on holiday in May 2007 with her family in Portugal, when she was reportedly abducted from the room in which she and her younger twin siblings were sleeping (Cloud, De La Cal, & Smith, 2007). Her parents Kate and Gerry McCann, both medical professionals, were dining with friends in a tapas bar a short distance away and, although no baby-sitter was present with the children, their parents checked on them regularly until they discovered Madeleine's bed was empty. The case was widely reported from the start in the British and European traditional media, as well as online and this demonstration case of media coverage examined first the possible reasons for its newsworthiness.

5.2.1 News Values

In this demonstration of the possible influence of the Internet on the reporting of crime and criminal justice in traditional media, the strongest example of the link between the research question and media coverage of the case related to the topic of news values. This research investigated whether media coverage online was driven by the same elements of newsworthiness as applied in traditional media, focusing first on the value accorded most importance by the elite interviewees in this study, public interest.

5.2.2 Public Interest

Generally claimed by respondents to be their top priority news value, public interest in this story seems not to have waned since its inception. However, it was difficult to demonstrate whether this was as a result of the influence of the Internet, or its other newsworthy qualities. The proliferation of blogging sites and the high amount of user-generated content would confirm at least that public interest was alive and well on the Web. How far that interest had extended to traditional media was less easy to pinpoint, particularly in the absence of corroborative academic data. It was stated earlier in this thesis that the Internet continued to be a positive factor in creating public interest and the McCann case might be a demonstration of this and its influence in maintaining that public interest in the traditional media.

Karen Lury (2007) of the University of Glasgow wrote that Madeleine's absence had created "a worm-hole of media speculation" and claimed the stories had continued because

they focused on “a little girl, a child”. She suggested the “fetishization of time” regarding Madeleine had to do with “the way in which ‘childhood’ as a time, a place, a memory and as a fabricated ideal has been established as a myth that belongs, or should belong to ‘everyone’.” Her article was posted online and created enough interest in itself to draw public comments, including one from a contributor writing an essay “about the public interest”. Button (2007) in *The Age Online* said the story regularly “topped the lists of most-read newspaper websites” and quoted a tabloid editor predicting sales would “soar by 30,000” if the story were featured on page one. Whether the furore was generated by online or traditional media was a moot point, but what was not in doubt was that it was media-inspired. In an interview on CNN International, Luis Ribas, senior correspondent for SIC TV in Portugal, put the responsibility for starting the interest on the media: “... we started giving this story more time than it deserved. And then people somehow became mesmerized. And then we have to feed the beast. And so we should have been more cautious from the outset” (Anderson, 2007).

In addition, the case qualifies for inclusion in Surette’s super-primary category of crime stories “that receive an enormous amount of organizational resources and develop along many dimensions” (1998, p. 62). These dimensions today would encompass the Internet as well as all forms of traditional media. Surette listed “recurring elements of the crime news frame” as including attributing individual responsibility (exemplified by the parents being considered responsible for leaving their children unattended), confirming moral priorities by denouncing their oversight (again exemplified by the media criticism of the parents) and “the final resolution of the crime” (Surette, 1998, p. 63). This last has yet to be achieved, but both online and traditional media have continued to publicise crime news associated with the case, taking the public interest well beyond the scene of the crime and holding up for investigation another acknowledged news value, proximity.

5.2.3 Proximity

When news values were discussed in the interviews for this research, it was generally concluded that proximity, long regarded by traditional media as one of the most relevant newsworthy criteria, had largely changed in priority and concept since the advent of the Internet. Its global qualities have made stories from all corners of the world accessible to

audiences everywhere and consequently have superseded the need for publishers in traditional media to focus on content relating geographically to their immediate target audience. The exception to this in interview responses was given by the editor of a community newspaper (Therese Ryan, *Gloucester Advocate*), who described her readers as still looking first for local content. However, as was also raised at the time, even those readers must have been aware of international news from some source and it was a logical suggestion that they were making use of satellite television or the Internet for this purpose.

Coverage of the Madeleine McCann story demonstrated the likelihood of this possibility, when proximity was considered as a news value. Guilfoyle (1999) said: “The presumption made by most news outlets is that people want to hear about themselves, or, preferably, their neighbours.” He then questioned whether this “localism” was in fact a real need of the audience, or a catering to commercial factors; and these commercial factors could include such elements as advertising revenue, likely to be more readily acquired and more substantial when obtained from local advertisers tempted with local coverage. An additional aspect for consideration in pre-Internet days might have been greater ease in obtaining local news, with the need for fewer technological facilities, as well as ease of access to local live coverage. It bears repeating at this juncture that no previous research on this three-way nexus of media, crime and the Internet has been documented and consequently there was no previous literature on which to draw for positive conclusions.

However, the McCanns were a British family, neither international nor local celebrities, holidaying with friends in Portugal and renting a villa at Praia da Luz; yet within hours of Madeleine’s disappearance, their names were appearing in stories online to be picked up by media all over the world and quickly given high-profile celebrity status. While it would have been logical to assume the story would make headlines in the UK and in Portugal, the speed with which it extended its geographical parameters was meteoric, with the first story published online by *Telegraph.co.uk*, timed at 12.01am on May 4 2007, approximately two hours after Madeleine’s disappearance (“Three-year-old feared abducted in Portugal”, 2007). The article, citing the Foreign Office as its source, reported “a three-year-old British girl” had gone missing while on holiday in Portugal. At 7.48am on the same day, *Sky News* carried the story in Breaking News, after receiving the item from the Press Association wire (Rose,

2007). Daily papers on that day, including amongst others *Leicester Mercury*, *Evening Standard*, *Irish Examiner* and *Yorkshire Post*, carried the child's name, details of the parents' profession and comments from neighbours and friends, as well as the Portuguese resort management.

News agencies such as Press Association National and Regional Newswires and Reuters covered the situation and at 6.44pm on May 4 Reuters included in their update the "emotional appeal" made by the parents. By the following day, articles appeared in publications as far afield as China (Xinhua News Agency), Australia (Bay of Plenty) Canada (Ottawa and Calgary) and France (Agence France Presse). The *New York Times* ran a story on May 19 and reported that messages of support for the *findmadeleine.com* website had come from as far afield as Argentina and California and to that date had received 65 million hits.

Online websites included the online sites of traditional media, such as *Times Online*, *TelegraphTimes online*, *telegraph.co.uk*, *smh.com.au*, as well as others represented solely on the Internet including *news.com.au*; and within weeks the sites were "regularly topping the lists of most-read articles on newspaper websites" (Button, 2007, para.1). Online, the *Guardian* on May 5 quoted Madeleine's grandfather confirming "clear evidence" she had been abducted and BBC News, online and in their mainstream television bulletins, reported the Portuguese police expressing doubts about whether Madeleine was still alive. At this point, it was clear the story was taking priority in both online and traditional media.

A *telegraph.co.uk* report on May 7 2007 revealed the identification of a suspect and *HighBeam Research*, an online site, carried a list of 15 related articles in the traditional print media. Thus, the continuing publicity generated by Internet coverage exerted its influence on traditional media, resulting in an ongoing and self-generating cycle of reporting of the case. At one stage, when the judge in Portimao, Portugal, acceded to certain requests made by the prosecutor in the case, the development was reported, according to the *Mail on Sunday*, with "every news outlet covering the story – a waterfront that now extends across the whole of Europe to the major American TV networks and even, unbelievably, a paper in war-torn Somalia" (Rose, 2007), both examples in traditional media and a credible demonstration of the extension of the bounds of any level of proximity or localism.

Thus, media coverage of the case confirmed the conclusion drawn in the discussion section of this study that the Internet, together with its user-generated content, had contributed to the shift in concept of the traditionally accepted notion of proximity as a news value. Moreover, the need for news agency reporting was also minimized, as this story took on a life of its own with online and traditional media continuing to draw upon each other for further angles to explore.

Interviewee Gail Phillips, Associate Professor at Murdoch University, referred to it as a “really global story” and continued:

There’s a certain kind of celebrity taste to it. It’s also high drama in relation to it being a crime involving a child, so it’s got all the ingredients of a good news story that would have currency anywhere and as a result the media have been on to it, not as hysterically as the British media have been on to it, but the way the British media tend to treat this news is kind of unique, specially the London news outlets.

Therefore, “emotional geography” (Guilfoyle 1999) needed to be taken into account and in itself could well have been an additional news value to be considered, equating with the “public’s desire to ‘own’ a story” (Knight, 2007, para. 22). This particular story would not have been outside that desire, particularly by those members of the public who were parents and could relate to the emotional aspects of the circumstances. In addition, emotional geography would have accounted for some of the interest in areas as distant as Africa (“3rd Degree, on location for McCann story,” 2007) and India (Is Madeleine McCann in Morocco?, 2007). The story also met the “cultural proximity” criterion of simplification (Ericson et al., 1987, p. 140), being both “eventful” and “unambiguous”. Jewkes (2004, p. 52) claimed this cultural proximity changed, according to the “cultural mood of the times” and also related to “the perpetrators of victims and crimes within the UK Even in cases where abduction and/or murder is immediately suspected, the likelihood of media interest will vary in accordance with the background of the victim.” Here, the background contained sufficient newsworthy elements to assure its likelihood of media interest: the medical profession of both parents, “respected professionals” (McDonagh, 2007, September 9, para. 5) the group of friends enjoying a typical holiday abroad, the age of the victim and her photogenic quality.

Clearly, news values other than proximity distinguished this story, otherwise why would it have been (and still be) of such interest to readers in such geographically separate locations? The fact that a child disappeared in unusual circumstances while the parents, both upper middle-class medical professionals, were on an overseas holiday and later came under suspicion themselves, had all the classic elements of a ‘whodunnit’ and also resonated in child disappearance stories in many other countries around the world. “There is not much that fascinates the great British public more than a juicy ‘whodunnit’, especially when the victim is a beautiful blonde child” (“The plot thickens,” 2007, para. 1), one of the factors that in journalistic discourse gives a story ‘legs’. Another is the element of sensationalism that finds its way into certain crime reports.

5.2.4 Sensationalism

One way to give a story ‘legs’, in either traditional or online media, is to raise its level of sensationalism. “The more sensational the story, the better... multiple murder, the hint of deviant sex and the titillating indecision about whether he or she did it are media brain food” (Professor Paul Wilson, personal communication, 2008). This topic offered a number of avenues to explore in demonstrating the link between the case of Madeleine McCann and the major research question. Space and time constraints alone prevented traditional media from covering the story in as much depth or detail as could be accomplished on the Internet and websites were able to increase the sensational or entertainment value of their reports by showing detailed maps and interior aspects of the crime scene in Portugal, as well as a number of photographs of the missing toddler, her parents, their friends and some possible suspects. Some online publications, such as *news.com.au* and *BBC.co.uk*, included a comprehensive map with each new angle taken by the story, with *news.com.au* offering a Google earth map of the Portuguese resort, a feat traditional media were unable to duplicate.

Madeleine McCann’s photograph was omnipresent and still appears on many sites, easily accessible to Internet browsers. Each time a new rumour surfaced about a possible solution to the mystery, online users were able to re-visit the original accounts, recap on the background and follow innumerable links to details of the new suspect, or theory. For instance, an online reader tracking the story of the missing toddler might have searched the Internet using the child’s name as keywords, found the web page at *news.com.au* (Madeleine McCann, 2008)

and chosen to follow links relating to and elaborating on the parents, her mother's "secret diary entries", the cost of the search, images of Madeleine look-alikes, police lying about 'evidence', book and film possibilities – and more. Depending on which path the reader took, an entirely different interpretation of the story would have resulted.

Again, *news.com.au*, (Correspondents in Portugal, 2008) under the headline: "Blood clue puts McCann parents in crosshairs," included a quote from an article in *The Courier-Mail* (in this instance, an example of the influence of traditional media on the Internet). In addition to the sub-headings attesting to the facts that the blood was "definitely" Madeleine's and the police wanted to seize Kate's diary, a Timeline proclaimed: "How the Maddie case has unfolded". Then, from *Guardian Unlimited* came further provocative news that talks were under way to produce a film on the story. However, the *Official Website to find Madeleine McCann*, incorporating Gerry McCann's online diary, was quick to refute the report, acknowledging only preliminary discussions about a documentary, the debate helping to make the story "the perfect story for an entertainment driven media era. The news is not the most important thing in newscasts nowadays. It's news and entertainment" (Ribas, 2007, in Anderson, 2007). Brian Cathcart (2007, para. 3) expressed similar views in the *New Statesman*, when he wrote that "filling page after page and bulletin after bulletin, week after week, has been something other than news". He continued (para. 4): "It is a fact of modern life that only a minority of the articles on your news pages deliver real news in the sense of stories whose central facts are new to the reader." These examples demonstrated not only how sensationalism contributed to the longevity of this particular story and kept public interest alive, but also the way in which reports appeared first in one form of the media and were then quoted in the other.

This same phenomenon, operating from traditional to online media, was reported in *The Times* ("The hunt for Madeleine, McCann has spread to new media," 2007), which revealed a production company and advertising agency had joined forces to launch "an official viral video campaign" on YouTube, endorsing the comment: "It's a bad day for Internet media when it can't accommodate demand and the audience shifts back to traditional media sources" (Poynter.org, 11 September 2001, cited in Allan, 2006).

Additionally, the age of the victim contributed to the sensational aspect of the crime, as it did to its overall newsworthiness: “Harm which befalls ‘respectable citizens, children and the elderly will receive more coverage ...” (Grabosky & Wilson, 1989, p. 13) and “a child is more newsworthy than an adult” (Grabosky & Wilson, 1989, p. 14). These factors played a large part in creating the media sensation that ensued and, to a lesser extent, still continues. The president of the Association of Criminal Investigation Staff said no criminal investigation could “feed a news frenzy for six months” (Brown & Bird, 2007) and *The Times* referred to the “sheer weight of interest” that had “distorted its coverage into a distressing soap opera” (“The value of dignity: A trial by media will not help to find the truth about Madeleine McCann,” 2007, para. 5).

Neither, it seemed, would astrology offer a solution to the crime. The website *neptunecafe.com* (“The abduction of Madeleine McCann,” n.d.) put forward a comprehensive astrology reading, including horoscopes for Kate, Gerry and Madeleine McCann, as well as a statement by UK astrologer Kathryn Cassidy: “... I have come to the conclusion that Murat took Madeleine”.

Then, too, the media’s construction of reality was a factor influencing the sensationalism aspect of crime reports:

... news outlets do not mirror reality, but rather construct it in terms of their own criteria and resources. Newsworthiness is not embedded in the event itself, but in what can be visualized about it in terms of journalists’ imaginative capacity and the material tools and organizational resources at their disposal (Ericson et al., 1991, p. 243).

In reporting this crime, the material tools included the considerable resources of the Internet and its almost unlimited supply of information, as well as its most controversial property, interactivity.

5.2.5 Interactivity

Where Gerry and Kate McCann were concerned, both traditional media and online contributors participated in coverage, with the user-generated content – blogs – revealing a

diversity of opinions and views. Some were constructive, such as *findmadeleine.com*, set up ‘to help raise awareness of Madeleine McCann, a beautiful 3-year-old girl who was abducted whilst on holiday in Praia da Luz, Portugal on 3rd May, 2007’. In the *Times Online* (2007), reporter India Knight referred to “an embarrassment of outlets” (online) in which the public could express their views and, regarding the McCann story, said online comment had resulted in “a complete blurring of the boundaries between news and gossip” (Hunt, 2007; Knight, 2007). Furthermore, the public and their ability to air their anonymous views online were blamed for making it all right “to say unspeakable things, to air the most shameful thoughts, always to think the worst, and never to give anyone a chance” (Knight, 2007, para. 5). On November 24, 2008 a Google search for “blogs + Madeleine McCann” yielded about 392,000 results.

Comparisons were made by *TimesOnline* and *smh.com.au* about the credibility of journalists between the two forms of the media, to the detriment of online reporters (Button, 2007; Knight, 2007).

Old media are usually constrained to report facts and to show where they differ from rumour. New media, while they may improve and democratise journalism in many respects, allow anyone to trot out the wildest opinion or theory, unconstrained by rules of evidence (Button, 2007, para. 16).

As is demonstrated in the next chapter of this thesis, the assumption that new media “allow anyone to trot out the wildest opinion” is not necessarily the case. Gatekeeping in different forms exists on the Internet in news outlets and in invited public comment. It also had particular relevance in a high-profile criminal case such as the disappearance of Madeleine McCann.

Furthermore, the relevance of the gatekeeping question and the influence of the Internet came to the fore once more when the “hate campaign on the Internet” launched against the McCanns (Gill, 2007) caused their local UK newspaper *Leicester Mercury* to ban comments on related stories and shut down its online discussion forum (consequently no longer available for reference purposes). Editor Nick Carter referred to the “tiny minority” of online correspondents who wished to defame the McCanns and said: “They are bombarding our site,

and we had no choice but to block comment entirely on reports about the family” (Gill, 2007). This qualified as perhaps the ultimate gatekeeping exercise and online searches failed to produce any results. In the *Sunday Times*, Eleanor Mills (2007, para. 5) maintained: “Television and newspapers have been very circumspect about reflecting this nastiness – but on the web contributors seem to have little compunction about letting it all hang out.” She also quoted one source as explaining why she loved blogging: “Because no paper would ever print what I can get away with online” (para. 15).

In addition, 17,000 people signed an online petition recommending the two remaining McCann children should be taken into care by the Leicestershire social services (Knight, 2007). Button (2007) speculated that a theory put forward by journalist Matthew Parris (writing in *The Spectator*) remained a serious consideration when looking for the motivation, namely that the “savvy media strategy” of the McCanns was starting to hurt them. This savvy media strategy extended to online sites and personal web pages, with their inevitable consequent impact and influence on traditional media.

In their bid to attract an online audience to their story, The Guardian Media Group in the UK went so far as to buy from Google the keywords “Madeleine McCann,” drawing a “barrage of complaints” from readers who objected to a commercial site being their first link. The media group subsequently retracted the link, acknowledging “the mistake” (Morais, 2008, August 27). Nonetheless, the celebrity status of the McCann family remained unchanged in traditional media and online, with or without commercial links. That celebrity status is the next focus of this chapter.

5.2.6 Celebrity

Interviewees connected celebrity status to their reasons for including crime in overall coverage. As mentioned above, the story meets Surette’s “super-primary” identification (1998, p. 62) and his criterion of spreading rapidly from one website to another, with over-emphasis on its priority in the media, crime and Internet intersection. Despite most interviewees indicating they paid scant attention to the heavy presence of celebrity in crime reporting online, this case nonetheless appeared to indicate the influence of the Internet in ensuring the continuing coverage of these celebrities in traditional media. In the time since

Madeleine McCann disappeared, it would be safe to assume that a number of other children had similarly disappeared in different countries around the world. Yet the emphasis in traditional media remained on Madeleine McCann, with constant updating online maintaining the momentum. Perhaps Barak's simple explanation in 1994 still applied, that the media did not treat all crime victims the same way, but favoured some and blamed others. Personalisation as a further element of newsworthiness (Ericson et al., 1987, p. 141) allowed the main individuals, Kate and Gerry McCann, to become public figures and "those incidents involving a prominent figure are more likely to be reported" with the "dramatization" of the victim's predicament (Ericson et al., 1987, pp. 142, 143).

The concept of celebrity association with crime reporting took on yet another angle with this story, one relating to the high-profile personalities who endorsed the campaign to find the missing toddler. The McCanns had an audience with the Pope and celebrities David Beckham, J K Rowling and Richard Branson were among those who added the considerable weight of their public personas to the build-up of publicity, in the process adding to the credibility of the story in the eyes of the public. However, even these appeals were not without their controversy. In an article entitled 'The Potter and the Magdalene' published by Ben Fairhall (2007, para. 1) on his blogspot 'Battling the behemoth', the author emphasised the involvement of Harry Potter creator J.K. Rowling, whose "greatest feat of characterization is unquestionably her own self-mythology". He accused the "Madeleine campaign – and its powerful backers" of "trying to force their propagandas" down "unwitting throats" and put forward the observation "if it isn't all a tissue of lies; and that this random constellation of highly powerful brokers had not been carefully lined up well in advance of the operation" (para. 9). He claimed the family had proved themselves "capable of spinning the truth" and reminded readers that Madeleine's godfather was head of "one of Liverpool's top post-production companies" (para. 14).

Thus, it became evident that comments and coverage encompassed extreme views at both ends of the spectrum, raising the question of how journalists, particularly those in traditional media, chose to verify the information they were receiving.

5.2.7 Verification/Accuracy

Almost without exception, respondents interviewed in this study intimated they would turn to traditional means, looking for at least two confirmations, to authenticate any information they found on the Internet. However, they had an alternative, namely that when “challenges are posed to existing journalistic paradigms and institutions, traditional journalists respond either by dismissing the legitimacy of the challenges, or reconstituting them to repair the existing definitions of news and news institutions (Bennett et al., 1885; Reese, 1990, cited in Chan, Lee, & Pan, 2006).

In the context of the challenge posed by online journalism, news repair could be discerned when journalists engaged in an effort to undermine the validity of an online news story by linking the problems of the story to the fact that it was covered online (McCoy, 2001, cited in Chan et al., 2006). This could well have been a factor in the demonstration of this case, when considering various comments by traditional media about their online counterparts. James Button (2007) in *smh.com.au* referred to the way in which old and new media had been responsible for changing the Madeleine McCann story, as opposed to just reporting it. He mentioned certain allegations supposedly leaked by the Portuguese police, allegations containing inconsistencies, yet nevertheless picked up and carried by the British tabloid press. He said: “I’m not sure it’s the traditional media that have turned against the McCanns ... The online public, however, has been far more hostile” (Button, 2007). He cited a positive article in the *Daily Mail* attracting e-mail feedback from 60 readers “two to one against the McCanns” (para. 12).

Yet the traditional media were not blameless. Greenhill, & Harris (2007, September 19, para. 1) reported in the *Daily Mail* that the propaganda campaign began “within 24 hours of Madeleine vanishing,” with a Portuguese police source alerting the daily newspaper *Diario de Noticias* on May 4 of doubts the child had been abducted. Similarly, even after Express Newspapers had publicly apologized to the McCanns and settled out of court to pay a substantial amount to the Find Madeleine fund for articles they had published in print and online, they declined to confirm whether the controversial articles would be removed from their websites (Smit, 2008). Button (2007, para. 15) posited the Graham Greene observation that “everyone everywhere believes what is bad”, but asked the question: “Is it everyone,

though, or is it the online world?” This question might well be the nub of the whole argument and of the research question of this study. Is it the Internet that influences the traditional media and, if so, does this influence carry even beyond the traditional media to the public itself? Evidence gathered to this point suggested the Internet exerted a formidable influence on traditional media and on the public; thus this question is the subject of further discussion in the next chapter of this thesis, as is the importance of the media’s social responsibility in the process.

5.2.8 Social Responsibility

The issue of missing children in the context of social responsibility was described as providing “a ground for moral crusades and reform efforts by various professional groups, citizens’ interest groups, and state agencies ...” (Ericson et al., 1989, p. 263) and, referring specifically to missing children, making “the private family a site for public conversation”, in which the media became part of community efforts to make a “motherhood issue” out of family-related troubles”. There was little doubt that coverage of the disappearance of Madeleine McCann provided a ground for many moral crusades in terms of the responsibility and even the suggested guilt of the parents and the motherhood issue could not have been more pronounced. Also, in common with the example quoted, private organizations joined forces to help publicise the missing child, thereby providing for “good public conversation about core values” (Fritz, and & Altheide, forthcoming; Yanke, 1987, cited in Ericson et al., 1989, p. 263), as evidenced by the numerous blog contributions debating the moral responsibilities of the parents in leaving their children unattended. These questions were also raised by traditional media, although again it was difficult to pinpoint which form broached the topic first. However, the primary social responsibility role could have been defined in the terms used by the elite interviewees: the need to keep the public informed about crime and criminal justice, a need which the amount of reportage, online and in traditional media, filled to the utmost. Yet, journalists should not lose sight of ethics in the process of fulfilling this need, a significant factor in analysis of media coverage of this demonstration case study.

5.2.9 Legal and Ethical

Although journalists observe the code of ethics on an honour basis, the McCann case was sometimes in breach of this code as it gathered momentum, with suspicion becoming

increasingly levelled at the parents and particularly at the mother. In a discussion about legal and ethical issues relating to the Internet, Gail Phillips (Murdoch University) called the situation “feral”. She said: “That’s why to me, an older Internet user, I don’t have the patience for that kind of thing, I really don’t want to waste my time on dross and speculation and sensationalised involvement with people’s private lives”. This suggested that legal and ethical issues would be present first on the Internet. On the other hand, interviewee Chris Smyth (Murdoch University) did not agree that all the speculation was Web-initiated or inspired. He said:

There’s very little attention being paid to the integrity of any future legal case and you can get away with any legal thing anywhere. Let’s say the Madeleine McCann case – Portugal – the sensationalism was driven by each other (Portugal and the UK), it wasn’t driven from back home, by what people said or what was on the Web. It was comments and rumors that were in some cases just fabricated by the reporters because in some cases they were a bit stuck for copy and they were over there.

Such fabrication and careless reporting resulted in libel suits being brought against some tabloid publications and settled, with apologies, to the McCanns (Lyll, 2008, March 20). Martin Belams (2008), posted an article on *currybetdotnet* about the front page apology by the *Daily Express* to the McCanns and their statement: “Please note that for legal reasons we have disabled reader comments on this article”. Subsequent searches on the Daily Express website yielded no results, although the sites were all “still available on Google’s cache”. Belams (2008) concluded with this confirmation of the influence of the Internet on the reporting of crime in traditional media: “All of which goes to show that in an Internet enabled media landscape, even printing a front page apology is only the tip of the iceberg when it comes to retracting what you have published”. *The New York Times* described the Express Newspapers group as using “shady, innuendo-laced information, interviews with unidentified sources and leaps of logic to promote a disturbing theory”. These elements also played a part in the two demonstration case studies following this, Joanne Lees and Schapelle Corby. In addition, all three cases became examples of trial by media.

5.2.10 Trial by Media

A frequent occurrence in crime reporting, particularly in high-profile cases, trial by media can not only influence public opinion and perhaps legal decisions, but can also have a lasting detrimental effect on the reputation of the chosen victim. Online and traditional journalists share this tendency to conduct their own trial by media and pronounce their own verdict; if the stories of the McCanns and Lindy Chamberlain (detailed in section 5.2.13 of this paper, ‘Lindyfication’) could be regarded as fair representations of trial by media, then even that term assumed a new identity in its online form. Writing in the *Sunday Times* (UK), Mills (2007, para. 2) equated the “electronic free-for-all ... in particular the blogosphere” with the much earlier custom of throwing “rotten eggs and squashed tomatoes” (para. 1) at suspected criminals. She quoted another report calling the Internet a “Wild West of crime” (para. 2) and maintained that, while television and print media had been reasonably restrained in their coverage, online contributors had observed no such boundaries. This would suggest that the issue of gatekeeping, raised in the next chapter of this study, had particular relevance in a high-profile criminal case such as the disappearance of Madeleine McCann.

One publication advocated the maintaining of “public dignity” by the McCanns and acknowledged that “the media have been as tireless in airing every scrap of alleged evidence to have emerged in recent weeks as they were in helping with the search for Madeleine after her disappearance” (“The value of dignity: A trial by media will not help to find the truth about Madeleine McCann,” 2007). Nonetheless, in a television program aired on Fox News, *The O’Reilly Factor*, Kimberly Guilfoyle, host of “The Lineup” predicted the McCanns would never have their reputation restored, because “they were called ‘suspects’ by the Portuguese police”, perhaps demonstrating an unwitting contribution by the forces of justice to the trial by media process (O’Reilly, 2008).

In addition, *Sky News* online condemned wholehearted support shown for the McCanns by some members of the public and pointed out this online media assault no longer goes unchallenged, referring on their website to the “powerful lobby who will not tolerate any implied criticism of the McCanns” (Fairhall, 2007, para. 5). Here *Sky News*, relating the issue to one of everybody’s entitlement to free speech, was criticising the user-generated content on blogs and websites, where many readers were jumping to the defence of the McCanns without

considering any alternative point of view. This was exclusively an online phenomenon which shared its consequences with traditional media, unlike the next topic to be discussed, allegations of police bungling of the investigation. This aspect of the reporting of criminal justice is one of several issues, hitherto not mentioned in this study, now explored to demonstrate the interaction between online and traditional media.

5.2.11 Representation of the criminal justice system

How the criminal justice system was represented in media coverage was yet another newsworthy element, one frequently employed in reporting crime and criminal justice and threatening the implied assurance that ‘justice will prevail’. Surette (1998, p. 40) called media portraits of the criminal justice system “distorted”. Relating to the disappearance of Madeleine McCann, Internet sites and subsequently traditional media were prolific in their observations, using the circumstances as a vehicle for reporting or commenting on the distortion of Portuguese criminal justice and the authorities representing it. The Portuguese police were accused of conducting a propaganda campaign:

While the police were secretly spinning their doubts about the McCanns to the media, the couple were faithfully obeying Portugal’s strict laws preventing them from speaking about the investigation...Lawyers for the couple are going back through the newspapers to look for evidence of black propaganda planted by police (Greenhill & Harris, 2007, para. 3).

Portuguese police were also accused in *The Telegraph* online of failing to collect bedding from Madeleine’s room (bedding considered to be important evidence) and of wasting time “focusing on fingerprints and footprints found at the scene that later turned out to belong to policemen, while other samples sent for analysis were found to contain ash from officers’ cigarettes” (Govan, 2007, para. 10). On their online news site, *The New Zealand Herald* quoted a comment from the *Sunday Mirror* in which a McCann friend said the police changed their tune “every day”, with a further quote from *The Guardian* referring to “confusion and disagreements” making it “very difficult” for the Portuguese Police to confirm their suspicions (Hunt, 2007, para. 9). In traditional media, the *Sunday Times* harked back to the issue a year later in 2008, claiming the McCanns were “shocked” by the Portuguese Police’s dossier and its “evidence of incompetence, missed opportunities – and of the determination of

the Portuguese police to implicate the McCanns in their daughter's disappearance" (Swinford 2008, para. 3). These allegations were cited frequently in both traditional and online media.

The most extreme example of this representation of the criminal justice system came from the police themselves. Chief Inspector Olegario Sousa, former official spokesman in the investigation, relinquished his position and revealed details of police actions in leaking information and in attempting to force the McCanns to confess. A Reuters release endorsed suspicions when it referred to "just another day in the McCann rumour mill" and stated:

On a daily basis it seems detectives from Portugal's Policia Judiciara leak snippets of information to their friends in the tabloids. The stories run in Portugal one day, are picked up by 24 hour TV news channels across Europe and become headlines in the British press the next, often having taken on a sense of authenticity in the process (McDill, 2007, para. 5).

Representation of criminal justice was not a topic categorised originally in this research process and was not raised by the working editors and reporters interviewed; however, it became an important factor in the research and comparison of media coverage of the three case studies. Analysis revealed its significance in both online and traditional media, justifying its inclusion as a topic for discussion. Similarly, another aspect which became evident from closer scrutiny of the individual case studies was fraud, the next focus of this chapter.

5.2.12 Fraud

Fraud was an element that manifested itself in examination of evidence to address the major research question. Dishonest people attempting to 'con' gullible sympathisers of crime victims were nothing new and had long found ways to use the media to feather their nests. However, the Internet exacerbated the tendency to a noticeable degree, particularly in the instance of the McCanns and another case investigated in this study, Schapelle Corby. The instances relating to the Corby case will be discussed in that section, those pertaining to the McCanns are raised here and are documented proof, according to David Brown and Steve Bird, who, writing in Praia da Luz for *The Times* (London) (2007, para. 1), described "unscrupulous businesses cashing in on the interest in the Internet campaign to find Madeleine McCann by attempting to trick the millions of visitors with bogus websites". They

reported the first major website had attracted 75 million hits within the first 48 hours of operation; however, more than 20 similarly named additional websites had since been created, with the sole purpose of making money from advertisers lured into believing they were appearing on the genuine site.

The proliferation of bogus sites was in itself a newsworthy occurrence and the words of one lawyer were particularly pertinent in this instance: “If a website had been registered with a view to taking advantage of another site’s popularity, then the Internet service provider hosting it could take it down for breach of an “acceptable use policy”. (Taylor, cited in Brown & Bird, 2007, para. 6). This phenomenon was outside anything experienced in traditional media and warranted investigation on its own account. So far as the ways in which it might have influenced reporting in traditional media were concerned, the possibility had to be taken into account that one or more of these fraudulent sites might well have initiated copy that was subsequently picked up, inadvertently or deliberately, by traditional news outlets and thus passed on to the general public.

5.2.13 ‘Lindyfication’

Origin of the term ‘Lindyfication’ is credited to NT journalist Paul Toohey (2002), who used it in reference to Joanne Lees and wrote in *The Australian*: “The Lindyfication of Joanne Lees has begun” (Blogger on the cast iron balcony, 2004). It linked the case to Lindy Chamberlain, whose baby was taken by a dingo in the Australian outback and it has been used with reference to each of the three demonstration case studies in this chapter. The ‘Lindyfication’ of this particular story, or its linkage to the highly publicised story of Lindy Chamberlain, was responsible not only for maintaining interest in Madeleine McCann, but also for renewing interest in the earlier case. Strong comparisons were immediately evident with the earlier account of the disappearance of Azaria Chamberlain on August 17, 1980 in the Australian outback, where in a similar reversal of media sympathy the child’s mother, Lindy Chamberlain evolved from victim to suspect. However, one vital difference was also apparent. In the Chamberlain case there was as yet no Internet connection, so the intense online interactivity demonstrated in the McCann case was not possible; neither was the rapid spreading of information from online to traditional media.

Commonalities accounting for the linkage included the fact that each had a child who disappeared in mysterious circumstances, each was portrayed by the media and the legal system first as victim then as suspect and each exhibited apparent “coldness” and lack of emotion. A further coincidence was that in both cases traces of the child’s blood were allegedly found - and in both cases this evidence was later found to be erroneous (Brown, 2007, November 29). In addition, the fact that both were assertive mothers failed to win sympathy for them and “female crime victims have real problems in being believed” (Wilson, 2001). *People* (Hewitt, Rubin, Tumplosky, Hammel, Norman, Perry, et al., 2007, para. 2) reported that Kate McCann been offered a deal by the Portuguese investigators: “Admit to killing your daughter and receive a sentence of no more than two years.” Lindy Chamberlain had been offered a similar deal by the Northern Territory police “... if you just admit it, you can go home” (Chamberlain, 2007, para. 37). Moreover, Kate McCann had appeared “chilly or emotionless” and this “had not helped” (Hewitt, 2007). However, the same author pointed out what is seldom acknowledged in levelling accusations of this kind: the couple had been advised to remain calm, because, said a family friend, “paedophiles get a kick out of seeing completely distressed parents”.

This noting of Kate McCann’s unemotional demeanour was reported both online and in traditional media. Online, the blogsite *anorak.co.uk*, countering an article by *The Sun*’s Oliver Harvey, quoted his “misgivings” about the lack of emotion: “No streaming tears, no trembling lips, no sobs of despair”. The unnamed writer continued: “Lindy Chamberlain ... never gave the press much emotion. Neither did Joanne Lees”. Dominic Lawson (2007, para. 3), in *The Independent* online, commented on Kate McCann’s refusal “to break down in public, maintaining her steely composure under circumstances which would reduce most mothers to wailing incoherence ... what once seemed extraordinary self-control is now deemed to be incriminating”. In addition: “Kate McCann is following the *via dolorosa* previously trod by Joanne Lees and Lindy Chamberlain. Both these women refused to give the public and the press the tears that were demanded of them ...”. Lawson pointed out another similarity: Kate McCann, like Lindy Chamberlain, had received substantial cash damages. In traditional media, the *Mail on Sunday* cited a “local source” revealing that Portuguese detectives “laid great weight on Kate McCann’s apparent composure when she

appeared in public” (Rose, 2007) and in the *Daily Mail*, Amanda Platell compared Kate McCann’s “creepy control” with Lindy Chamberlain’s.

Yet it was Lindy Chamberlain herself who cemented the linkage between the two women when she wrote an article for the *MailOnline* (Chamberlain, 2007) and referred to the “inescapable” parallels between her own case and Kate McCann’s. She narrowed it down to “a woman who has failed to play the emptive, feminine role scripted for her in this terrible soap opera” and explained: “People don’t like it when a person is strong and does not show signs of hysteria. You can’t win. If you cry, you’re being over-dramatic. If you don’t cry, you’re a hard-faced bitch” (Chamberlain, 2007, para. 39). Both she and Kate McCann were accused of behaving “irresponsibly”. Her comments were quoted in other online publications, notably *news.com.au* and *ninemsn.com* and also found their way to news agency Australian Associated Press and traditional media outlets including *Herald-Sun*, *Daily Telegraph*, *Northern Territory News*, *The Australian* and SBS World News.

Surette (1998, p. 61) offered an explanation in his theory of consonance, referring to the linking of news items to prior events: “Unexpected or unusual events will be selected, but they will be presented in terms of previously established stories and explanations.” This could be applied directly to coverage of the McCann story in the context of Lindy and Azaria Chamberlain. While the linkage sustained interest in the two stories, it nonetheless did so largely through the use of negative reporting, with consequences detrimental to the public image of the McCanns, online and in traditional media. This was confirmed in an Internet poll, which revealed as little as 20 percent of the British public believed the McCanns were not guilty, with the subsequent impact of the result on reporting in traditional media (Button, 2007).

Consonance was also responsible for prejudging the significance of an event “to the point where the reporter will visualise what is going to happen and then produce a report which makes that outcome apparent regardless of what else has transpired” (Ericson et al., 1987, p. 147). The same authors claimed it was inevitable that reporters developed “preformed story lines...ultimately to manage the flow of news” (Ericson et al., 1987, p. 148), a possible

explanation for the readiness of some reporters, in traditional and online media, to speculate so readily about the outcome of the event.

5.2.14 Finding

The purpose of this demonstration case study was to identify, through examination of a range of media coverage relating to the disappearance of Madeleine McCann any evidence of the influence of the Internet on the reporting of crime and criminal justice in traditional media. However, it has also demonstrated that this is a two-way process, with traditional media in many instances exerting its own influence on the Internet.

While this influence has not been confirmed in every category, it has nonetheless been established in a significant number of instances, particularly in relation to news values. This finding is important, because it differs from the perceptions of the elites interviewed for this research. So far as proximity was concerned, Simon Johnson (*theage.com.au*) spoke about the “different skew on what people are interested in reading online”. Yet the extent of coverage of this story in both traditional and online media pointed to a common interest where crime and criminal justice were concerned. Emotional geography played a much larger part than proximity in public interest in this event and the criterion “something that interested the local audience” (Kevin Naughton, *The Advertiser & Sunday Mail*) applied even to an event geographically far removed from the local audience, most of whom suggested the presence of the Internet had had little or no effect on their reporting of crime and criminal justice.

However, the respondents named public interest as their most newsworthy element and the comprehensive coverage of this case was a clear indication of its public interest, logically in its home country, the United Kingdom and then, as a result of the global reach of the Internet, in other countries far removed. Online websites and traditional publications embraced the news value of a crime report with “all the ingredients of a good story” (Gail Phillips, Murdoch University) and the element of sensationalism also played its part. The extra detail included in Internet coverage made an undeniable contribution to traditional reporting, as entertaining and sensational items of information became known. Brian Cathcart’s statement (2007, para 4) that “only a minority of articles on your news pages deliver real news” applied to this demonstration case study, where non-news items such as the contents of Kate

McCann's diary, were reported in all forms of the media. Similarly, the media's construction of reality was an important factor, as it was in the other two demonstration case studies of this research. Factors such as the age of the victim contributed to the initial interest, built upon and exacerbated by both forms of the media until the case became a super- primary crime story (Surette, 1998, p. 62). The fact that it "topped the list of most-read newspaper websites" (Button, 2007) attested to the influence of the Internet in generating and maintaining public interest on the reporting in traditional media. In common with the two remaining demonstration case studies in this chapter, reporting of the case "provoked" public and community reaction (Chancer, 2005, p. 256).

The extra detail included in Internet coverage made an undeniable contribution to traditional reporting, as items of information of an entertaining and sensational nature became known. Brian Cathcart's statement (2007) that "only a minority of articles on your news pages deliver real news" applied to this demonstration case study, where non-news items such as the contents of Kate McCann's diary and rumours of book and film deals, were reported in all forms of the media.

So far as proximity was concerned, Simon Johnson (*theage.com.au*) spoke about the "different skew on what people are interested in reading online". Yet the extent of coverage of this story in both traditional and online media pointed to a common interest where crime and criminal justice were concerned. As the story spread around the globe, emotional geography became a more meaningful news value than proximity in media coverage and the criterion "something that interested the local audience" (Kevin Naughton, *The Advertiser & Sunday Mail*) was shown to apply even to an event far removed geographically from the local audience. Although "Histories of journalism have documented that popular-newspaper readers are not interested in foreign-news coverage unless it can be made relevant to their own local knowledge" (Ericson et al., 1991, p. 163), newspaper readers in countries far removed from Portugal and the United Kingdom continued to demonstrate their ongoing interest, as the Internet fuelled the self-generating cycle of publicity.

The Internet also demonstrated a significant effect on the aspect of sensationalism, with entertainment value enhanced by online resources. Furthermore, the Internet was a major

contributor to the media's construction of reality, with personification apparent not only on television as suggested by Surette (2007, p. 73), but also online, where some photographs and articles focused more on the emotions of Kate McCann than on straight reporting of the facts. Blogs were demonstrable proof of not only public interest, but also public opinion, shaped largely for this audience by the Internet. Interactivity would be one obvious area in which the Internet influenced crime reporting in traditional media, with others being celebrity status and personalisation, reinforced by the sheer number of online outlets carrying the story.

On the other hand, influence of the Internet was less apparent in the area of social responsibility, where both forms of the media played their part in generating public conversation and contributing to the process of trial by media. However, the latter was perhaps more noticeable in user-generated content, an exclusively online phenomenon. In the same way, both online and traditional media aired their mostly negative representations of the criminal justice system, just as they demonstrated their willingness to embrace the concept of 'lindyfication'.

Notwithstanding the relevance of the above exemplars to the research question of this thesis, equally important was the finding, reinforced throughout this analysis, that interaction between online and traditional media was an ongoing two-way process, with traditional media in many instances exerting its own influence on the Internet.

Many of the categories investigated in the analysis of media coverage in this demonstration case are examined again in the context of the next demonstration case study, Joanne Lees.

5.3 DEMONSTRATION CASE STUDY 2: JOANNE LEES

On Saturday, July 14, 2001 British backpackers Peter Falconio and Joanne Lees, on the last leg of their extended journey round Australia, watched the annual Camel Cup races at Blatherskite Park before heading for Tennant Creek. They bought petrol at Ti Tree, where they had coffee and a smoke, watching the sun set before continuing on their way, Peter Falconio at the wheel. A few kilometres past the Barrow Creek pub, they were signalled to stop by the driver of a vehicle they had noticed following them for some time. They pulled over and Peter Falconio stepped to the rear of the vehicle with the other driver. A few minutes later, Joanne Lees says she heard a bang and was then confronted by the other motorist pointing a gun directly at her through the driver's window of her vehicle. Events that followed were the subject of much debate, in and out of the media, but ended with Joanne Lees being bound and tossed to the back of the vehicle, before escaping to find a hiding place for some hours in the darkness and dense bush. Despite her assailant searching for her with his dog, she remained undiscovered and made her way through the bush to the main road, where she managed to flag down a passing road train. The driver and his passenger drove with her to search for Peter Falconio, before taking her to Barrow Creek Hotel and calling the police. She was subsequently taken for medical treatment to Alice Springs, where she remained for some time helping police with their enquiries (Bowles, 2005).

Media coverage of Peter Falconio's disappearance and Joanne Lees's account bears many similarities to that of the previously discussed mystery surrounding the whereabouts of Madeleine McCann, although some factors were less significant and certain additional aspects also came into focus. Although the true victim of the circumstances was the missing Peter Falconio, media interest pinned the label to the survivor (Joanne Lees) who then became the suspect; once more the link was made to Lindy Chamberlain (and to Kate McCann); once more traditional and online publications were accused of conducting their own trial by media. In addition, investigation of media coverage of this story demonstrated the proliferation of user-generated content and brought into question its influence on traditional media.

In order to research this demonstration case in relation to the research question of this study, the researcher conducted a comprehensive purposive interview with Australian true-

crime author Robin Bowles, whose publications included *Dead Centre*, the “real story behind the disappearance of Peter Falconio”. Ms Bowles gave the researcher access to her book, as well as to a subsequent publication *Rough Justice: Unanswered questions from the Australian Courts*, containing a follow-up chapter on the case. Both books made reference to the extensive coverage in all forms of the media, proving and sustaining newsworthiness of the story for a number of reasons.

5.3.1 News Values

When the subject of newsworthiness and its corresponding news values was discussed with the interviewees in this study, the general consensus was that, although practising journalists and editors seldom used the terminology employed in the journalistic discourse of authors such as Ericson, Baranek and Chan and those of other text books detailed in the literature review of this paper (Chapter 2), they nonetheless adhered to the traditionally held concepts of newsworthiness. As already stated, almost without exception, they put forward public interest as their main focus.

5.3.1.1 Public Interest

“How do we understand the media’s growing preoccupation with violent crimes committed by predatory strangers? How do we make sense of the media’s tendency to frame crime in terms of failures of the justice system?” (Beckett & Sasson, 2004, para. 13). Those two questions, posed in a book written by two US academics and published online by *defendingjustice.org*, might have been asked specifically in relation to the case of Joanne Lees and Peter Falconio. The media reporting of the violent crime committed by a predatory stranger, later identified in court as Bradley John Murdoch and the tendency shown to criticise the criminal justice system were only two of the factors that sustained public interest in this story. Similarly, “Another focus of editorial initiative is the campaign” (Grabosky & Wilson, 1989, p. 22), also demonstrated in media coverage of the case. Traditional and online publications in the UK and Australia maintained an ongoing campaign to keep the story in the public eye, a campaign made considerably easier by the many unexpected and unpredictable events that dotted its path.

To the UK public, the Australian outback was unknown territory, linked for some with the disappearance many years previously of Azaria Chamberlain. The missing man was a British backpacker, travelling with his partner, also a British backpacker and a woman who had herself narrowly escaped death. In their discussion on “media representations of the international backpacker in Australia”, Peel and Steen (2007) stated that in 2005 the story contributed to the level of 52.26 percent of media coverage portraying backpackers as victims of crime. Able to follow events only through the media, the public were prime candidates for the media-constructed reality of the crime. Surette’s phases of social construction (1998, p. 9) examined the media’s role in the social construction of crime and criminal justice and identified the third phase as “the media as knowledge distributor”, explaining the media “change, react to, and reflect culture and society” (Surette, 1998, p. 11). In coverage of this case, the reflection of Australian culture and society was presented in many instances by reporters who had no personal experience, but were themselves the receivers of other media-constructed reality, making it a distinct possibility that some of their reporting might present an inaccurate or distorted vision of events. In short, some of them had “limited opportunity for direct observation of the matters they report(ed) on” and, when they did, the context was “already highly structured by the source” (Ericson et al., 1987, p. 351).

Likely exemplification of this phenomenon was demonstrated in the traditional media by British journalists such as Ray Chesterton in the *Daily Telegraph* and Jerry Lawton in the *Daily Star*, both of whose articles referred predominantly to interviews with the family in the UK and carried little evidence of on-the-scene reporting. In the same way, *The Coventry Evening Telegraph*’s article on July 16, 2001 consisted of six sentences, quoting only a comment from Peter Falconio’s brother, Paul (“Ambushed tourist feared dead,” 2001) and the *Grimsby Evening Telegraph*’s article on the same date comprised only three sentences with a similar short quote from Paul Falconio (“Ambush Briton feared dead,” 2001). These early reports demonstrated little evidence of direct observation, compared with *guardian.co.uk*, whose byline credited “Staff and agencies” (“Fears grow for kidnapped British tourist,” 2001).

On the other hand, although he might have had direct access to the scene of the crime, Tony Tilse, director of “Joanne Lees: Murder in the Outback”, had to make his telemovie without the participation or co-operation of Joanne Lees. He said:

We have to extrapolate ... We wanted to get an emotional journey through it ... So we had to find a balance between the events and the drama. It’s a delicate balancing act ... We’ve had to take some emotional licence, but I don’t think unjustifiably (Enker, 2007, March 15).

Joanne Lees herself criticised authors who had never spoken to her and she claimed hers could be the “only accurate account” (Colgan, 2006, September 29, para. 8). She also stated she wanted to “reclaim her life”, when she denied any involvement with the tele-drama shown on Channel 10 on Australian TV. “The reason I wrote my book was to reclaim my life from other storytellers. No one else can know my journey and capture the emotional truth” (Downie, 2007, March 9, para. 4). This statement was quoted in the traditional UK print publication *The Daily Telegraph*, repeated in an article carried online in *news.com.au*. Furthermore, *The Independent* (UK) online quoted a report in the *Sydney Morning Herald* about liaisons between Joanne Lees and Nick Riley, but did not make it clear how much of their full story was taken from the *Sydney Morning Herald* article (Marks, 2004, May 30).

Once the news was released, the media had little difficulty keeping up with the story. On July 16, 2001, two days after the disappearance of Peter Falconio, Reuters *News*, *Agence France Presse* and *Australian Associated Press* (AAP) released items about the search and on the same day *The Guardian* online (Staff and agencies, 2001) included in its article, together with family comments and a statement that the police “had no doubts about the truth of her [Joanne Lees’s] story”, the information that Peter Falconio’s parents were preparing to fly to Australia. This was also reported by the *Evening News* in Scotland and, on that day, BBC *News* carried a report by Dominic Hughes from Alice Springs, including comments from a Northern Territory Police spokesman and an early e-fit picture of the suspect. In the UK media, print articles that followed suit included amongst many others those published in the *Evening Standard* (Knight, 2001, July 16), *The Sun* (Rae, 2001, July 16), *Manchester Evening News* (Wilkinson, 2001, July 16), *Evening Mail* (“Agony of ambush families”, 2001, July 16) *Evening Times* (Russell, 2001, July 16) *Grimsby Evening Telegraph* (“Ambush Briton feared

dead”, 2001, July 16). Coverage was spreading rapidly through the media and public interest was being aroused by such items of information as Joanne Lees’s stepfather’s comment that he had received no information from the Australian police, but had seen a mention of the incident on TV (“No one told us about stalking – stepfather”, 2001, July 17) and Joanne Lees’s lucky escape. On July 16, 2001 AAP issued a release quoting a Northern Territory hotelier’s claim that “A gunman’s failure to tie a woman’s wrists behind her back was the mistake she needed to escape with her life into the Northern Territory scrub” (McGuirk, 2001, July 16, para. 1). This information was picked up quickly and carried online and in traditional media (Chulov, Mulkerrins, & O’Brien, 2001, July 17; Hardie, 2001).

That public interest was being maintained in Australia was demonstrated on July 18, 2001, when AAP issued a release listing the top stories in that day’s Sydney newspapers (“The top stories in Sydney newspapers, 2001). The case featured on Page 1 in *The Daily Telegraph* and the *Sydney Morning Herald*, but on Page 3 of *The Australian*. Online, an anonymous blog stated: “Discussion about her character bubbles through the country and, in Lees case, well beyond it to her homeland ” (Enker, 2007, para. 5; "Murder most Australian," n.d.) *Ninemsn.com.au* credited the “intense interest” in the case to:

... the notion of two harmless young foreigners waylaid in a friendly land that had suddenly turned hostile ... But overwhelmingly it is the setting of the crime – an unextraordinary stretch of outback highway – that has stirred the darker corners of the imagination ("The Peter Falconio Mystery," 2005).

The setting of the crime featured prominently in helping the story maintain public interest and it was a common angle in coverage in both forms of the media, in Australia and in the United Kingdom. In fact, the media in both countries claimed ownership of the story, with the news value of proximity applying equally to each.

5.3.1.2 Proximity

The newsworthy element of proximity achieved double significance in coverage of this story, with media and public interest fuelled in two countries, thousands of miles apart: Australia and the United Kingdom. Joanne Lees and Peter Falconio were British subjects on holiday in Australia, where they had been attacked while backpacking in the Outback and one

of them had disappeared, presumably now dead. Journalists in the two countries often seemed at odds with each other, despite supposedly reporting the same case. It was reportedly the British media who first put forward the suggestion that she was a suspect, possibly because they had been “duped” many years previously by a woman who cried at the murder of her husband and was then convicted of his murder (Walker, 2002, para. 28). Similarly, the UK *Daily Mail* published an unsubstantiated allegation that Peter Falconio might have “faked his death for insurance money” (Walker, 2002, para. 31). However, the “emotional geography” (Guilfoyle, 1999) referred to in the previous demonstration case study was not as much in evidence with this story, as the public in both countries could identify with it, making localism more newsworthy. Furthermore, the aspect of localism was highlighted in UK headlines at the time: “Our Jo’s desert ordeal” (Gee, 2001, July 17) and “Jo knew she had lost him forever; Brits’ horror in the outback” (Taylor, 2001, July 17).

The speed of information travelling via the Internet would have been responsible for introducing the story to a global audience. Additionally, there was little doubt that those members of the media not based in, or familiar with, Australia found on the Internet the background detail needed to report on the outback and its history, confirming the influence of the Internet on the reporting of crime in traditional media.

5.3.1.3 Sensationalism

Sensationalism continued to keep the story alive from its inception in 2001 right through to and beyond the date of the trial in 2005. Five years after the event, an article in the UK publication the *Sunday Telegraph* and carried by *news.com.au* used such language as her “harrowing” ordeal, her “dazzling looks” and stated: “The knives are still out for Lees.” An explanation was offered for the suspicion that still continued to dog her:

Then the very fact that she had survived, coupled with something else – and it is this “something” that continues to fascinate – tilted the axis, so that she came to experience the double horror of being viewed as a potential murderess (Dougary, 2006, October 1, para. 4).

Use of language contributed to sensationalism in *ninemsn.com.au*, which took a long link from the Northern Territory coat of arms to Chief Justice Brian Martin’s wig, to kangaroos

and the wedge-tailed eagles, who now feed on roadkill: “And roadkill is very much the business at hand in this, the trial of Bradley John Murdoch, accused of executing Peter Marco Falconio on the Stuart Highway ... and of assaulting and depriving Joanne Rachael Lees of her liberty” (“The Peter Falconio Mystery,” 2005, para. 4). *The Independent* online reported in May 2004: “Joanne Lees arrived home in Britain yesterday after an extraordinary week in which she went from witness to scarlet woman” (Marks, 2004, May 30, para. 1). It stated “the appetite for a sensational revelation was sated” (para. 6) when Joanne Lees continued her evidence. “The sharp intake of breath in court was echoed in living rooms across Britain and Australia” (para 6.) Also online, the website *Melbourne Indymedia* related sensationalism to the “serious flaws” in the trial: “The trial of Bradley John Murdoch may be sensational, but for the wrong reason. This trial had serious flaws in it – decide for yourself” (“Commonsense Prevails”, 2005, para. 1). The article then listed 14 comprehensive “unresolved” issues. Online, the *Daily Telegraph* article used language to enhance the sensationalism angle: “‘Murderess’... the taffeta-rustling, almost seductive sibilance of that word draws you in. Hasn’t Hollywood always played with the frisson of a woman whose glacial beauty masks her deadly instincts?” (Dougary, 2006, para. 5).

The reports left little doubt that Joanne Lees was assuming high-profile or celebrity status in media coverage and moving into Surette’s super-primary category of crime reports, or that the Internet had played its part in adding to the sensationalism of the story.

5.3.1.4 Celebrity status

A Law Reform Commission report on Surveillance (Report 108 (2005) – Surveillance: final report) referred to the fact that “celebrities, politicians and others who figure often in the public eye, and often have a mutually beneficial relationship with the media, would generally have a lesser expectation of privacy than others” (para. 4.12). It then stated:

By contrast, ordinary members of the public may, through circumstances not of their own choosing, find themselves in the media spotlight. In mid-2004 the public witnessed the media circus surrounding the attendance at a Darwin court of Joanne Lees, key witness in the Peter Falconio murder case. The authorities assisted her in her desire to shy away from the media ...

several media organisations said they would continue to pursue her (Report 108 (2005) – Surveillance: final report, para. 4.14).

Joanne Lees was firmly in the media spotlight, online and in traditional media, a situation exacerbated by her reluctance to communicate or cooperate with the media and enhanced by the far-reaching qualities of the Internet.

5.3.1.5 Periodicity and consonance

Coverage of the disappearance of Peter Falconio rated as newsworthy for a number of factors, including Surette's "operationally defined" periodicity and consonance (1998, p.61). The cycle of events in the ongoing story was able to match the publication schedule of print, radio and television, with constant updates possible on the Internet. As the events unfolded over a long period of time, all media were able to find some aspect to include in their latest coverage. Surette defined consonance as matching "prior news themes and accepted public images and explanations." He also mentioned the "seriousness of the event, whimsical circumstances, sentimental or dramatic elements, and the involvement of high-status persons" (Surette, 1998, p. 61)

Seriousness was of prime importance, with the media reporting the least common crimes and so constructing "a crime reality at odds with the sociological reality of crime". The kidnapping of a tourist in the outback was not a common crime, but the disappearance and presumed murder of Peter Falconio constituted a most serious crime and the disappearance of a male adult, leaving no clues or evidence, together with the assault on an unprotected woman who not only resisted but escaped her attacker, were dramatic elements worthy of inclusion in online and traditional news coverage. The appearance and attractiveness of that "unprotected woman" became further factors to engage the interest of the media and one more element was added to the newsworthiness mix. Additionally, as little information about Peter Falconio was available on the Internet, media scrutiny focused on Joanne Lees, bolstering the dramatic elements of her escape with references to her physical appearance.

5.3.1.6 Physical attractiveness

The *Sunday Telegraph* online raised the question of the “additional misfortune” of Joanne Lees’s good looks and asked: “Would she have been quite so newsworthy if she had been plain?” The same reporter then answered her own question:

The first thing you register about Lees are her dazzling looks. She is even prettier, in the flesh, than in all those snatched photographs. She gleams with lustrous good health: great teeth, a shiny swing of fashionably jagged long black hair and a radiant bright-blue gaze. She has a lovely figure and is wearing a wraparound dress that shows off all her curves and a hint of décolletage (Dougary, 2006, para. 21).

From the first breaking of the story, photographs online and then in traditional media showed Joanne Lees and Peter Falconio to be a photogenic couple, with later pictures of Joanne Lees confirming the perception. What has not been clearly demonstrated is whether the good-looking label and influence were given their first airing on the Internet or in traditional media. However, the impression remained that attractiveness had added to the newsworthiness of the story and had perhaps even become a news value on its own. Professor Paul Wilson commented that, in addition to the public not liking the way Joanne Lees attempted to control the media, her appearance also contributed to her unpopularity: “... the community want young attractive women to come out and tell it all” (Mazzocchi, 2001).

This point is discussed again in the next demonstration case study in this section, as is another common denominator in the three cases under discussion: representation of the criminal justice system.

5.3.2 Representation of the criminal justice system

This aspect of the reporting of crime and criminal justice has been mentioned as being apparent in coverage of the Lindy Chamberlain and Madeleine McCann stories. It was also represented in online and traditional media in the case of Joanne Lees. What was not readily clear-cut was which of these media was first to raise the subject, particularly as the representation in most cases was unfavourable both in the beginning and later as the story continued to evolve (Lomax, n.d.; *The Sun-Herald* online, 2002). Meyerhoff (2004) on his

blogsite *garymeyerhoff* posited that “justice in Australia’s outback is strictly for the rich”. In the same way, Lomax (n.d., para. 11)), writing on the website *unsolved-crimes.com* was specific in his inference:

It should be noted that in another Australian state the police have a bit of a reputation for planting DNA. British Customs and Excise have frequently refused to let the police near ships because they believe officers could plant evidence.

The Sydney Morning Herald online (Walker, 2002) asked why the NT Assistant Commissioner did not explain why the police had kept the DNA evidence quiet for almost a year, a question repeated in the traditional edition of the paper and one reflecting unfavourably on the conduct of the police. The same online source, carrying a story from the *Sun-Herald*, claimed the NT police also delayed revealing the presence of witnesses and the fact that “three young British tourists in a Kombi were threatened two weeks earlier by a man in a four-wheel drive” (Walker, 2002, para. 13). Similar representation was shown in coverage of the disappearance of Madeleine McCann, particularly in relation to the conduct of the Portuguese authorities. Joanne Lees herself was quoted as accusing detectives of “sitting back” waiting for the public to bring them information (“NT police vow to crack Falconio case,” 2002). *The Huddersfield Daily Examiner* carried the news that police “conceded there were mistakes and delays in their hunt for the killer” and that they had not carried out a detailed search of the area until three months after his disappearance (“Peter cops: We made mistakes”, 2005, para. 2).

From a totally different perspective, author Robin Bowles (personal communication, 2007) found the attitude and behaviour of the police questionable, particularly when she asked them why they had gone to England in 2002:

... and they said they’d gone on a welfare visit to Joanne and Peter Falconio’s family ... which means actually they lied. It related back to the Murdoch case and the media demolished him; he was convicted on fairly suspicious evidence and some of the police didn’t even consider him in the NT, which means he didn’t have a fair trial.

Northern Territory Police issued their own media release online countering some of the criticism and said they “continued to support Joanne Lees” and were confident of solving the case (Hurley, 2002). Former Northern Territory assistant police commissioner Dr Bill Wilson was also quoted by *BBC News* online: “Unfortunately in the (Northern) Territory we have a history of these strange crimes in remote areas and there’s often unfair criticism of the police” (Mercer, 2005, para. 6). In their book, Muraskin and Domash (2007, p. 12) asked “how accurately” the media portrayed the criminal justice system:

There exist fictitious depictions of crime waves as well as other crime-related information, all of which reflect the branches of the criminal justice system in a poor light ... Due to the many inaccuracies of the media’s handling of the criminal justice system, there exist inaccuracies in the truth.

These inaccuracies could well be an ongoing result of the situation described by Ericson et al. (1989, p. 38), whose survey findings revealed that court officials felt it was “the responsibility of news organisations to ensure their court reporters are educated in law”. However, “Reporters demonstrated repeatedly that they lacked knowledge of the court and legal system” (Ericson et al., 1989, p. 38). This appeared to apply equally to organizations in both forms of the media.

No evidence was found to suggest the Internet had had any noticeable influence on reporting in traditional media, concerning representation of the criminal justice system. Rather, both forms of the media appeared to carry similar information at around the same time. This was demonstrated, too, in the ‘victim-turned-suspect’ angle, common to the McCann, Chamberlain and Lees stories and noticeably evident online and in traditional media. (*Scotland.indymedia.org* 2008; *The Sun-Herald* online 2002; *smh.com.au*, 2002)

5.3.3 Victim turned suspect

“A lot of news consists of moral-character portraits: of demon criminals, of responsible authorities ...” (Ericson et al., 1991, p. 8). The moral character of all three individuals whose media coverage was analysed for demonstration case studies in this chapter was cast into doubt by the media and accounted for one of the reasons given for suspicion falling so readily on Joanne Lees: the “loose ends” in her evidence listed in *crikey.com* (Maynard, 2006); her

confession that she “started to doubt herself” and changed her story about the attack (Murdoch, 2005, para. 2); linguistic content experts’ assessment that “Ms Lees was hiding something” (Williams, 2005, para. 12); “Put simply, she did not behave the way victims are expected to behave. There were no public tears and she refused to tell the public exactly what happened that night” (Walker, 2002, para. 20). This was almost identical to criticism levelled at Lindy Chamberlain. Total disbelief combined with sensationalism and speculation were expressed in emotive language by Amanda Mortein, writing online for *Indymedia Scotland*:

Joanne Lees ought to be the main suspect in this show trial. There is no body and no weapon to be found and Joanne Lees had a clear and present motive. She knew him, she travelled with him, she was unfaithful to him and she said that she was the last person to see him on the night she was stoned out of her head. So where does Bradley John Murdoch fit in? (Mortein, 2005, para. 1).

However, emotional control was not the only criticism levelled at Joanne Lees, according to an alternative explanation given online in an article written originally for the *Sunday Telegraph* and posted on the reporter’s website:

Then, the very fact that she had survived, coupled with something else – and it is this “something” that continues to fascinate – tilted the axis, so that she came to experience the double horror of being viewed as a potential murderess (Dougary, 2006, para 4.).

Furthermore, in her book “Rough Justice,” Robin Bowles accused Joanne Lees of emailing her secret lover about a meeting in Berlin “even when her boyfriend of five years was probably lying dead in the desert” (Bowles, 2007, p. 206).

Professor Paul Wilson was quoted in the online edition of ABC’s *The World Today* as saying that Joanne Lees was a “double victim”, reinforcing the link to Lindy Chamberlain, as well as to “many other young women before her”. He claimed that, had she been a “staid middle-age British tourist travelling in a luxury car”, her story would probably not have been questioned. He also stated that “Australian fears and mythology about the dark outback came

into play” and raised the consideration of the “disturbing Australian cynicism towards young women who are victims of crime”.

I think the thing we don’t like about her most is that she tried to control the way in which the media presented her image. She didn’t make herself freely available to the media. When she gave a news conference she controls, very deliberately I think, and probably with the advice of the police and others, who she allowed into the press conference. And I don’t think people like that ... the community want young, attractive women to come and out and tell all (Mazzocchi, 2001).

Professor Wilson compared this behavior with Lindy Chamberlain’s, who “did talk very freely to the press and she in fact demanded the right to tell her story”. Although Joanne Lees’s demeanour would have been noticed more by those reporters in the traditional media who came face to face with her, the prodigious amount of material and comment online had an impact on reporting this particular development in traditional media.

Moreover, cynicism revealed itself to a noticeable degree in user-generated content and blogs (*bigfooty.com*, 2005), where readers were invited to submit their opinion. *The Guardian* (Australia) attempted to “explain why outsiders get such a hard time in Australia” and cited the “vindictiveness” of the “witch hunt that pursued” Joanne Lees, suggesting: “The Australian media prefers (sic) its victims humble, grateful, and above all, local” (Mueller, 2008, para. 8) . The *indymedia Scotland* website carried an entry from Amanda Mortein (2006) making reference to Bradley John Murdoch shaking his head when Joanne Lees identified him in court and her “nodding vigorously” in return “(Intimating that she was guilty but had no other choice.)”, an example of the existence of trial by media online, not only in recognised media publications but also in user-generated content.

5.3.4 Trial by media

The question may be asked: At what stage and in which sector did the media begin their ‘trial’ of Joanne Lees, leading to their at best ‘undecided’ and at worst ‘guilty’ verdict? According to Meyerhoff (2004, p. 7), it had its roots in traditional media. “The *Northern Territory News* declared him guilty long ago”, he wrote. “The entire jury is already

contaminated.” Perhaps a paragraph in the *Sydney Morning Herald* online edition confirmed this assumption and refuted the research question of this study when it intimated that traditional media, “British media”, were first to cast suspicion on Joanne Lees, a charge repeated later on *ninemsn.com.au*, which stated she had been “subjected to lurid allegations in the British press” (Coulthart & Dikeos, 2003, para. 7). Then, anxious not to be seen as the victims of a guilty party pleading innocence, other editors around the world followed suit. A review of the film *Murder in the Outback* referred to “one of the most disgraceful trial-by-media episodes of modern times” (North, 2007, para. 4), consolidating this phenomenon as a commonality between the two sectors of the media.

BigFooty blog site (2005) conducted its own online trial by media when it posed the question “Do you believe Joanne Lees is telling the truth?” In the 96 contributions monitored from October 18, 2005 to October 21, 2005, support expressed was minimal and comments covered everything from the way “she strutted into court” to the similarity of her circumstances with Lindy Chamberlain’s and the implausibility of her account. Another online test was launched by *news.com.au*, “who ran a blog asking people to comment on whether Joanne Lees should profit from her misfortune” (Hutchinson, 2006). However, *theage.com.au* came to her defence and stated that those who knew Joanne Lees could never doubt her story, although:

... there were doubters, both in Australia and in Ms Lees’s country. For 15 months, the media speculated about what had really happened that night, with suggestions raised that Mr Falconio had faked his own death or that his girlfriend was somehow responsible for the crime (Debelle & Daley, 2002, para. 8).

In Australia, the *Nine Network* conducted their trial by traditional media when they asked viewers to state whether they believed Joanne Lees was not guilty of Peter Falconio’s murder. This prompted Australian television presenter Andrew Denton, who interviewed her in London, to call on the network to offer “a public apology now – immediately” (“Denton to Nine: apologies for Lees poll,” 2006). In fact, media trials online and in traditional outlets continued until the verdict in the legal trial had been announced and Joanne Lees had identified her attacker. However, with an appeal subsequently sought and still pending, there

is every possibility that media trials relating to this case are not yet over and those on the Internet remain, to influence future reporting in traditional media. However, even the original verdict itself was not without its Internet influence.

5.3.5 Legal and ethical

Where perhaps the Internet exerted its greatest and most controversial influence on the reporting of this story was in the identification by Joanne Lees of Bradley John Murdoch as the man who had threatened and assaulted her at Barrow Creek. In a personal interview, author Robin Bowles (2008) recalled:

... I was made aware during the trial of the importance and the impact of the web when I found out that Joanne Lees gave evidence at the committal that ... in September/October 2002 Joanne was on holiday in Greece and a friend of hers emailed her and said they had caught the killer. She then dived into the web and found 'Falconio killer' (something along those lines) and there was a photo of him as well.

In her own book, Joanne Lees made no mention of having seen the photograph on the Internet, but only of identifying the suspect from a 'photo board' shown to her some weeks later by the police. Excerpts from the trial showed that Mr Murdoch's defence counsel asked her whether her identification was made after she saw the picture on the Internet, to which she replied: "At the end of the day I was there, I know what happened. I don't need to read it from the press."

Yet, while the official judgment of *Murdoch v The Queen* (2007) NTCCA 1 agreed with certain facts recollected by Robin Bowles, it disagreed with others. It stated that Joanne Lees was working in Sicily in 2002, when she had become aware:

... that a suspect was in police custody in Australia. A friend drew her attention to a BBC news site on the Internet ... In her statement of 18th November 2002, Ms Lees stated that a friend of hers had told her that a really nice article about her had been written. She did not expect to see a photograph of a suspect or a man who might be the person who attacked her (Moles & Sangha, 2007, para. 49).

The Judge's conclusion was that she had accessed the Internet ahead of making the official identification. Also, when she had made the identification to Australian police officers who visited her in Sussex with photographs of a dozen different men: "There was no evidence at that time the police were aware of the Internet web site or that she had already seen his photograph on it" (para. 86). The same details were published online by *ninemsn.com.au* ("The Peter Falconio Mystery", 2005).

The official judgment website also pointed out that many authorities had "recognised the dangers associated with identification that occurs after a witness has seen a photograph of a person unknown to that witness, but known to the witness as the accused or a suspect". The Judge, after considering possible prejudicial effects, permitted Joanne Lees to make a "dock identification". Nonetheless, the influence of the Internet in this instance had the potential to influence not only the reporting of crime and criminal justice in traditional media, but the criminal justice system itself.

Even before the trial, the Internet was part of the chain of circumstances being held responsible for making it impossible for Bradley John Murdoch to get a fair trial.

Attempting to prevent the publishing of Bradley's photo is an absolutely ridiculous notion ... an image of Bradley John Murdoch can be obtained easily by searching the "world-wide" web with a search engine like Google (Meyerhoff, 2004, para. 8).

Searching the world-wide web would also have produced full details of the earlier Australian outback story involving Lindy Chamberlain and the disappearance of her baby daughter, Azaria.

5.3.6 'Lindyfication'

As mentioned in the previous demonstration case study, the word 'Lyndification' was first used in the traditional print publication, *The Australian* (Toohey, 2002), but was quickly adopted by other traditional and Internet outlets (Baxter, 2002). The media comparisons between Lindy Chamberlain and Joanne Lees were plentiful, in both forms of the media. One immediate similarity was the Australian outback, the vast area of unexplored territory, setting

for both events; another was the phenomenon shared with Kate McCann of victim turned suspect. Ross Wilson, who told the story in his documentary “The Trials of Joanne Lees” said: “It took just a few days for the rumours to start that she wasn’t telling the whole story, that she was spinning a yarn” (Walker, 2002, para. 6). He said she had not convinced the public: “Many found her unconvincing; something seemed to be missing. It was just like in Alice Springs, where most people we spoke to still believe Lindy Chamberlain is guilty despite all the trials and pardons” (Walker, 2002, para. 25).

Ericson et al. (1987, p. 171) suggested journalists became “spectators, who sense that something is out of order, and proceed to visualize what appears to be the case”. In reporting on the demeanour of Joanne Lees, online and traditional media “sensed” her reactions were out of what they considered to be order and proceeded to visualize that she must have been hiding some guilty secret. The Lindy Chamberlain circumstances continued to provide a linkage point for reporting of this case (Meyerhoff, 2004; Dougary, 2006; Bone, 2004; Barker, 2004; Baxter, 2002; Walker, 2002; Debelle & Daley, 2002).

Both were young, attractive women ... in the sense that both women did not come across as the traditional stereotype of how, in Lindy’s case, a mother should act towards the media ... how, in Joanne Lees’s case, a young single woman should act (Meyerhoff, 2004, para. 21).

Patrick Barkham (2001, para. 3), writing in Sydney for *guardian.co.uk* maintained that, despite police assurances that evidence matched Joanne Lees’s story, she was becoming “another Lindy Chamberlain”. He stated the Chamberlain case continued to “exert a powerful hold on all of Australia” and that its legacy was “influencing the conduct of the current police hunt”. He justified this conclusion by pointing out that the NT police force were “much more wary” about giving out information and that this had contributed to the failure of the press to form “a complete picture of the attack that might lay their doubts about Ms Lees to rest” (Barkham, 2001, para. 10). Ginny Dougary (2006, para.51), whose article for *The Sunday Telegraph* was posted on her personal website, had been working in traditional media at the time of Lindy Chamberlain’s trial and reminded her readers: “Australia is a vast continent in which bodies can simply disappear.” She also referred to the “cool and reserved” demeanour

of both women, “somehow interpreted as proof of their guilt” (para. 52), although, as she pointed out, Joanne Lees was never regarded officially as a suspect.

Nonetheless, her transformation from victim to suspect was chronicled extensively online and in traditional media. UK documentary maker Ross Wilson’s “The Trials of Joanne Lees” investigated “how and why Lees went from being a victim of a nightmare attack in the desert to being thought of by the public as the chief suspect” (Walker, 2002, para. 5) and parallels were drawn in Baxter’s references to the “Lindyfication of Joanne Lees” (Baxter, 2002). In *Blogger on the Cast Iron Balcony*, “an opinionated mother of two” quoted Ken Parish: “Joanne Lees, like Lindy, is an unlikeable character ... what she’s going through is lindification (sic)” (2004, para. 3). Also, on *TV Tonight: Australia’s leading TV blog*, David Knox reviewed the “telemovie” “Joanne Lees – Murder in the Outback”:

But, like Lindy Chamberlain, her lack of emotion gave rise to a trial by media, fascinated by the grim hallmarks of the case: the desert, backpackers, a killer, isolation, the tyranny of distance ... it’s hard not to keep thinking of Lindy Chamberlain (Knox, 2007, para. 3).

In fact, it was so hard that Bradley John Murdoch’s defence lawyer raised the similarity to bolster his case when he addressed the jury:

Many of you would be acutely aware that some 20 odd years ago ... experts gave evidence that it was foetal haemoglobin, foetal blood on the inside of the car that led to another conviction for murder, no doubt because they were the experts and you should believe them, but they were wrong (Barker, 2005, para. 24).

An anonymous online article acknowledged differences as well as “striking similarities” between the two trials. Similarities included “that remote, almost mythical outback place that Australia’s largely urban population regards with awe and perhaps a measure of fear” (Enker, 2007), as well as the “key role” of forensic evidence and:

The victim became the victimised, harshly judged on every decision: what she wore, how she responded to intrusive questions from the locals, from police and lawyers, and from a rabid media pack. As with the Lindy

Chamberlain fiasco, there was a view that she was not grieving in a manner deemed to be appropriate. She was too controlled (Enker, 2007, para. 13).

Phil Cleary, whose online article also appeared in the *Melbourne Herald Sun* stated:

Lees's Yorkshire stoicism gave her the same deadpan countenance borne by Lindy Chamberlain when marched through the throng of media at the committal in Alice Springs in 1980. Like Lees she didn't cry or offer glib morsels for the media (Cleary, 2006, para. 3).

However, Cleary then went on to link the issue to "the deeper forces at work against women" and the "deeply embedded belief that women are chronic schemers".

Although women so rarely kill the man in their life and when they do it follows years of violence or the genuine fear that he is about to unleash terror on her or the family, the police genuinely believed Lees might have had a role in the disappearance of Falconio. How eerily reminiscent it was of the persecution of Chamberlain (Cleary, 2006, para. 5).

Referring to Joanne Lees's affair with another man, he quoted the 2004 Victorian Law Reform Commission report, "unequivocal about the role woman's infidelity, real or alleged, played in saving wife killers from murder ... If the abolition of provocation was one step forward for women the treatment of Joanne Lees was two steps back" (Cleary, 2006, para. 6).

The same issue was taken up online by Pamela Bone, who asked on *theage.com.au* (2004, para. 18): "Must every woman at the centre of a mystery be given an element of sexual seduction?" She noted that in both cases media had paid attention to the appearance of the women, together with their emotions, relationships and religion. She listed the common elements present in the cases of Joanne Lees and Lindy Chamberlain: "Death in the desert, a missing body, a packed court, foreign media, an ordinarily attractive young woman at the centre of attention" (para. 5) and emphasised the resemblance with the frequently-quoted words: "A dingo's got my baby". In addition, a reporter for the *Sydney Morning Herald* online described Joanne Lees as originally exciting little sympathy: "Hard-faced, cold-eyed and paranoid about her privacy, she never publicly mourned the death of her boyfriend, Peter

Falconio, and so was labelled a heartless bitch, undeserving either of consideration or compassion” (Williams, 2007, para. 1). Although this description was found in an Australian online publication, it was not unmatched in British media, reporting rumours from the Australian press who wrote about “the innuendo from the British media camp” (Williams, 2005, para. 5). The Australian online publication attributed the “cold and emotionless appearance” to being “doped up with Valium”, saying “she’d been given drugs to numb the crushing grief” and “It was the only way she’d been able to hold herself together” (Williams, 2005, para. 1).

Although the term ‘Lyndification’ was coined in traditional media, its explanation and links were made possible largely with the help of material accessed on the Internet. This material had an undeniable influence on reporting in traditional media. It was also discussed by blog contributors, a formidable body of online opinion.

5.3.7 User-generated content

This study has investigated the significance of blogs and other user-generated content in influencing public perception and consequently reportage in traditional media. This was demonstrated in a little-reported instance related to the coverage of the Joanne Lees case and the trial of Bradley John Murdoch. In her personal interview, Robin Bowles (2008) spoke of information that had come to light in 2006, the year after the trial.

A young guy in Darwin, a news reporter, accidentally stumbled on a blog on the web and he found that it alleged that a juror had posted a blog or a comment on a blog site the day after Murdoch was found guilty. He (the juror) said the reason the jury had found him guilty was not because the prosecution had convinced them that he had killed Peter Falconio, but because they had been able to get into court that he was a drug runner and also that he’d been charged with the paedophilia in the blog ... he was a bad bastard and he should be imprisoned anyway, so they whacked the guilty verdict on him.

Although the jury number identified as belonging to the juror in question was traced and found to be false, the inference was clear: had the blog been accessed by a juror, as claimed,

the Internet would have made a significant contribution to the outcome of the trial. Robin Bowles said the juror whose number had been quoted incorrectly in the blog never contradicted what was on the blog.

Obviously I could not use that in the Falconio book because it hadn't come to light, but I have used it in a subsequent book and I've been able to quote selected material from the blog, my selection. I chose things that illustrated my point, but I've also given readers the blog site address. I'm not sure whether that's legal or not, because of course anyone reading my book can hop on to the website and they can read the whole thing, including the number of the alleged juror and all the things he said ... which I wasn't allowed to use legally in my book (Bowles, 2008).

This incident illustrated the significance of the Internet in influencing crime reporting in traditional media. Had the author's source not found the information on the Internet, it would not have been reported in her book and subsequently in the press. As Bradley John Murdoch is in the process of appealing his conviction, this incident may yet prove to be of even more importance.

A corollary and unfortunate victim of the intense media coverage was the aspect of tourism and the way in which Australia was being portrayed to present and future travellers and holidaymakers, particularly backpackers. Bainbridge, Goc and Tynan (2008, p. 249) listed four main levels on which the news agenda operates:

- It influences what we talk about in general conversation as a result of consuming news
- It influences how we react to events and information
- It influences how *stakeholders* ... will react
- It influences how other journalists and media professionals produce information as news

All these criteria were met by the media in pursuing their campaign of portraying Australia as a destination unsafe for holidaymakers, particularly backpackers. Australian and British

media, traditional and online, carried similar stories and it was a likely outcome that some young travellers were deterred from including Australia in their backpacking plans, while others already in the country became more cautious and less adventurous in their travels.

The Sydney Morning Herald carried an AAP release commencing: “‘Horror trips down under’ is how British newspapers have branded Australian holidays” (Wilson, 2001). The article called the incident “the latest in a string of disasters for British travellers in Australia”, endorsing the description in the UK *Daily Star* of “the latest in a terrifying series of attacks on backpackers and hitch-hikers in Australia” (Lawton, 2001, para. 23). The UK *Daily Telegraph* claimed British tourist were now “more fearful for their safety” and that the attack had “left other British backpackers thinking twice about their safety” (Bain, 2001a, July 18, para 2). *The Sun* called the couple “the latest in a series of British tourists whose trips Down Under have ended in nightmare attacks” (Rae, 2001) and *The Daily Telegraph* linked the incident to “memories of the ‘Top End Killer’ in 1987 (Bain, 2001, July 17, para. 1). *The Daily Telegraph* quoted comments from Joanne Lees’s stepfather, Vincent James: “Mr James said the family was aware of the backpacker murders, but had believed Joanne and Peter were safe in Australia” (Gee, 2001, July 17).

Countering these reports, Agence France Presse released a report datelined Sydney July 17, 2001 that tourism officials had “dismissed warnings that Australia is a dangerous holiday destination”, although “the British press has been quick to highlight the dangers of ‘horror trips down under’ (“Australia no worse than anywhere else, say tourism authorities” 2001, July 17, para 2). Travelpress quoted the report on the same day (“Tourism bodies reassure travellers Australia is safe,” 2001).

5.3.8 Finding

Like the previous demonstration case study of Madeleine McCann, analysis of media coverage of the Joanne Lees story has highlighted ways in which the Internet has influenced the reporting of crime and criminal justice in traditional media, with particular reference to news values and public interest.

While a number of factors qualified this case for newsworthiness and public interest, one of the strongest was its element of violence, the news value “most common to all media” (Jewkes, 2004, p. 53). Beckett and Sasson (2004, para. 14) stated that crime gave society “a fascinating and never-ending series of conflicts between good and evil ... captured most dramatically in stories about violent, predatory crimes committed against people believed to be vulnerable and blameless”, an apt description of the Joanne Lees story. Who could be more vulnerable and blameless than a young, attractive tourist, spending a holiday with her partner in a remote part of Australia? However, media and public interest awakened on this basis became even more intense as the story gradually turned around, focusing suspicion on that same vulnerable and blameless young tourist. Every stage of the case, from the incident itself to the trial, was marked by controversy and conflicting media opinion.

Because the key character opted for silence and failed to succumb to the entreaties of the media, some members of the media resorted to interviewing family members in Huddersfield, UK and writing their own stories, focusing prominently on the Australian outback and its remote, unknown territory. Online and traditional media in both countries kept the interaction alive and the story in the headlines.

However, this story’s proximity borders were more clearly defined than Madeleine McCann’s and the case represented localism for both Australia and the United Kingdom, before being reported further afield. Although online coverage was extensive, the Internet did not appear to exert any significant influence on traditional media where proximity was concerned. Where it did have a marked impact was on sensationalism, making extensive use of emotive language and controversy over her narrow escape in the outback. Sensationalism was present at every stage of the story, from the sudden attack in the outback to evidence in the courtroom. Joanne Lees’s ability to free herself from her bonds was questioned by several media publications and even re-enacted by some.

Again, as with Kate McCann, the media were quick to jump on the ‘Lyndification’ bandwagon and made ample use of easy access to the wealth of detailed information already online to register their impact on traditional media and keep the comparisons alive. This issue was linked to representation of the Australian criminal justice system, which again was

portrayed in a mostly negative light in both countries, although not always for the same reasons.

However, as stated earlier in this section, the most compelling evidence of the influence of the Internet in this case was in Joanne Lees's identification of Bradley John Murdoch as her attacker. The official records claimed the police had not been aware of the Internet site on which she acknowledged she had seen his picture before identifying him from the police photographs. The same official site also acknowledged the dangers associated with the process and it is unlikely that this is a unique situation that has not been or will not be repeated in other legal proceedings. Internet influence in this context could have far-reaching effects on the legal system and has already been responsible for the dismissal of a juror in the high-profile US murder trial of Scott Peterson, when Juror No 7 used the Internet to conduct independent research; however, the implications assumed even more significance as the foreman of the jury, possibly realizing the results of the independent research might have been communicated to him in conversation, asked to be relieved of his duties (Hayes, 2004).

Bradley John Murdoch's appeal hearing is likely to generate even more controversy when the legal technicalities of DNA will surface as arguably the most important focus of debate. However, it is equally probable that some existing evidence and information relating to the case, particularly on the Internet, will be resurrected when the appeal is heard.

5.4 DEMONSTRATION CASE STUDY 3: SCHAPELLE CORBY

Schapelle Corby's story began when she arrived at Bali airport on October 8, 2004 to begin her holiday. When she passed through Customs, officials searched her unlocked bodyboard bag and found it contained 4.1 kgs of marijuana, a prohibited import in a country known for its uncompromising stance on drugs of any kind. Protesting her innocence, she was nevertheless arrested and taken into custody to await trial. On May 27 she was sentenced to 20 years imprisonment, with none of her appeals to date resulting in any leniency or reduction of her sentence (Nick, 2007).

Schapelle Corby's story was of particular interest in this study, as it was being widely reported at the time the initial qualitative interviews were conducted and was mentioned voluntarily by several respondents as an example of the way in which the Internet had become an integral part of the reporting process. This applied from the perspective of researching background and local law and opinion to having Australian copy quoted in online and traditional publications in other countries. In fact, this case served to exemplify certain issues raised by the respondents and offered rare definitive evidence of the Internet influencing the reporting of crime and criminal justice in traditional media. This research investigated the reasons for its newsworthiness in the eyes of the media and the public and again, although some aspects of this particular case were not present in the other two demonstration cases studied, the strongest area of commonality was in its news values.

5.4.1 News Values

Gold Coast Bulletin journalist Tony Wilson, who later lost his job over allegations about his personal behaviour in a matter related to the case, by July 2005 had already written over 100 lead stories on Schapelle Corby and was later to author a book detailing the chain of events. He said in his second interview (by email) that international interest in the story had resulted in a great deal of his original material "finding its way on to the Internet", necessitating a change in his style of writing to accommodate the new audience. The researcher investigated whether this global media and public interest was fuelled by the same elements of newsworthiness already identified in both the interview responses and the earlier demonstration case studies, focusing first on the primary value of public interest.

5.4.1.1 Public Interest

Schapelle Corby is a Queensland-born Australian woman whose name, until her arrest at Bali airport, was largely unknown. However, it was soon being mentioned online and in traditional media all over the world, gaining in prominence and controversy after the trial, with public opinion divided and media following every development. In common with the other cases selected for demonstration in this section, a number of factors could have accounted for its newsworthiness: the subject was an attractive young woman, arriving on holiday in a foreign country, where drug-smuggling carried severe penalties. The circumstances of her arrest were controversial, in that the marijuana she was convicted of carrying was discovered in her bodyboard bag, which had not been weighed at the point of departure; this meant no positive proof could be obtained of whether the marijuana had left Brisbane with her, or had been ‘planted’ somewhere en route. Her story quickly gathered interest, as agenda-setting and framing in the Australian media set the tone for coverage elsewhere in the world.

An online investigation conducted by *RMIT Journalism* found the media had produced “a staggering 1610 articles about Ms Corby in just the last three weeks, with *theage.com.au* producing 341 mentions and *news.com.au* producing 271” (Berry, Ja, Kenna, Nation, Ferreira, & Ryan, 2005). Tony Wilson (*Gold Coast Bulletin*) said Googling Schapelle Corby in mid 2005 produced more than 250,000 links, with more than 100,000 still available in 2008. Internationally, *washingtonpost.com* carried the story of the 20-year sentence, calling her a “working-class Australian vacationer pleading for mercy ... But the Indonesian court, treating her as just another player in the country’s growing drug trade ...” (Sipress, 2005, paras. 1, 2). *The New York Times* described the case as captivating and outraging Australia (Bonner, 2005c).

In Australia, ABC Radio’s *PM* on February 13, 2007 began with presenter Lisa Millar’s statement that Schapelle Corby was still making headlines eighteen months after the guilty verdict. Included among her guests on that occasion was Tony Wilson, then chief police reporter for the *Gold Coast Bulletin* and described as “so close to the story, he now considers himself part of the extended Corby family”. He continued to demonstrate evidence of that closeness in his reporting, remaining openly supportive in his coverage. By the conclusion of

the trial, the case had achieved an extraordinary degree of public interest (Phillips, 2005a). In another edition of the same radio program, Peter Lloyd spoke about the “public mood”, with “most believing the attractive doe-eyed woman often described as a former beauty student is the innocent victim of a mysterious drug smuggling network and a corrupt legal system” (Lloyd, 2005). Program guest Cindy Wockner, reporting for News Limited, stated: “... most definitely, she sells newspapers ... because people can identify with her ... the sort of drama that we’ve seen in the courtroom has helped project the story”.

On Australian television, Channel 7 broadcast live and uninterrupted coverage of the trial verdict, after competitor Channel 9 had aired its show and invited the audience to vote in a ‘trial’ (Berry et al., 2005). Channel 7 news director Peter Meakin justified the uninterrupted coverage with the explanation: “It’s a matter of public interest” (*The Courier-Mail* cited in Firdaus, 2006, p. 2). Also on television, the documentary ‘The Hidden Truth’ attracted an audience of 1.6 million for the first two hours and 1.3 million for the second half (Meade, 2008, June 26). The power of television to “bring us closer to the real world of face-to-face interaction” (Ericson et al., 1991, p. 220) had been used to full advantage and it seemed the electronic media, recognising the public appeal of the story, were travelling the same path as their print counterparts: “Broadcast media tend to follow the news agenda of the press in deciding which stories are newsworthy” (Jewkes, 2004, p. 39).

An additional factor contributing to international coverage was the timing of the arrest: the international media were in Bali at the time to report on the anniversary of the bombings and a member of the public suggested in a letter to the *Northern Territory News* that the drugs had been planted in Schapelle Corby’s bag to “draw the spotlight away” and “discredit” Australians in the process (“Letters to the Editor,” 2004). However, the researcher was unable to discover any further media reporting of this suggestion.

Interest in the case developed to global proportions and, among others, *The Irish Examiner* ran the story on October 11 and Xinhua News Agency on October 12, 2004 (“Australian woman arrested in Bali for attempted drug smuggling”). The *New York Times* online stated the story had “unleashed a torrent of venom”, with Schapelle Corby “portrayed as a damsel in distress, the victim of a corrupt judicial system in a backward nation” (Bonner, 2005a, para.

5). This report was cited online on the blog site *talkleft.com*, which called the article “mean spirited” (Jeralyn, 2005) and blamed not racism but “Indonesia’s draconian penalties for drug offenses” for Australian media support of Schapelle Corby. Tony Wilson (*Gold Coast Bulletin*) commented on the interaction between the Internet and traditional media and said: “The Internet issues have become sources of stories ... so what’s happened is that the web has become stories. This shows the power of the web.” In common with the Madeleine McCann and Joanne Lees stories, the Schapelle Corby case had established itself in the super-primary category of crime stories (Surette, 1998, p. 62), described earlier in this chapter. The criterion of responsibility attributed “at an individual level” was met by the circumstances of Schapelle Corby alone being held responsible for her crime, moral boundaries were reaffirmed by the general denunciation of drug-smuggling and, in this instance, the final resolution of the crime was provided by the 20 year prison sentence.

On the other hand, the Australian Journal of Anthropology pointed out that, although the sentence “drove many Australians to outraged distraction”, there was scant coverage in Indonesian media (Noszlopy, Sen, Putra, & Macrae, 2006, p. 70). Furthermore, the Indonesian and Bali public were not familiar with the name of Schapelle Corby and wondered whether she might have been a “movie star in her own country” to receive such publicity. “There had never been such a media scrum by foreign journalists in the history of Denpasar District Court” (Noszlopy et al., 2006, p. 77). Online, *ninemsn.com.au* reported that more than “700,000 users concurrently logged onto National Nine News” to see news on the ruling (“Schapelle Corby verdict breaks online news records”, 2005). However, the finality of the sentence did little to diminish the newsworthiness of the story, which continued to maintain public interest at least partly as a result of another news value, proximity.

5.4.1.2 Proximity

Schapelle Corby’s story was an Australian story, engaging the interest of the media and public on several levels, one of which was the popularity of Bali as a holiday destination for many Australians, most of whom would have been aware of its well-publicised harsh anti-drug legislation. Australians form the largest group of “beach tourists” and adopt a “certain feeling of proprietorship” about Bali (Noszlopy et al., 2006). Another was the national grief that had gripped the country after the bombing attacks in Bali in 2002, so location emerged as

a major factor in newsworthiness of this case. In *smh.com.au*, Anne Summers (2005, para. 14) speculated whether the same interest would have been aroused if Schapelle Corby had been apprehended in Kuala Lumpur. “Corby’s trial,” she wrote, “has galvanized the feelings of fury and grief the bombing gave rise to and has, in a sense, provided a channel for our anger.” She identified the Bali bombings of October 12, 2002 as an act of terrorism which killed 202 people, including 89 Australians and injured a further 209. The tragedy was sometimes called “‘Australia’s September 11’ because of the large number of Australians killed in the attack” (“Bali bombings 2002”, para. 4). The impact of the relationship between the two countries was acknowledged by Tony Wilson (*Gold Coast Bulletin*), who said Bali “adds to the exotic and dramatic edges of the Corby story ... and the bombings give it some sinister aspect which people are actually attracted to”. On this occasion, localism appeared to be less significant in newsworthiness than the ‘emotional geography’ that gave some Australians a strong sense of identification and allowed Indonesia to be included in the proximity definition.

Moreover, part of the reason for Schapelle Corby’s visit to Bali was to celebrate the birthday of her sister, Mercedes, married to a Indonesian man and at that time staying in Bali (Wilson, 2007, October 9). The close economic and political ties (discussed later in this section) were another factor linking the two countries. *The Australian* named the “real tragedy” as that “misguided people have risked Australia’s good relations with Indonesia” and stated Schapelle Corby’s behaviour had “added unnecessary strain to the Australia-Indonesia relationship” (“Corby truth is out,” 2008, June 24).

The earlier conclusion drawn from the qualitative interviews that the Internet had largely eroded proximity as a news value was exemplified once more with this case. Coverage in the *New York Times* online edition stated that “the quick explanation for the country’s fixation on the Corby case appears to be that she is young, attractive, stylish, female and white” (Bonner, 2005a, para. 6). In its “Drug Policy News”, the *Drug:Policy Alliance* referred to the world joining Australians in the “outcry” over Schapelle’s sentence (Weefur, 2005). On the other hand, no particular emotional geography appeared to apply to Schapelle Corby’s links with Japan, despite the fact that she had been married to a Japanese man and had spent a considerable amount of time in that country. Neither was proximity any reason for coverage

on the blog site *BritishExpats.com.*, with opinion ranging from “a change in how people view their baggage security here in Australia” (para. 2) to the story appearing on Canadian National News and a warning to “... tape your suitcase in”.

5.4.1.3 Sensationalism

The story of Schapelle Corby’s arrest, trial and imprisonment was distinguished by a number of sensational elements, many of which related directly to the major research question of this thesis. A common factor in both forms of the media were the ubiquitous photographs, most showing Schapelle Corby, tearful and behind bars, positive evidence of media framing adding sensationalism to coverage of the case. Ericson et al. explained how some “sources” were given prominence in a news article “allowing them to frame ... the preferred definition of the problem” and how different elements were combined to “create new meanings and news themes” (Ericson et al., 1991, p. 56). The profusion of photographs, particularly on the Internet, played their part in establishing the image of Schapelle Corby as a victim rather than a criminal, in deep misery, or sometimes frustration, as a result of her incarceration. Internet photographs of Schapelle Corby and of various locations in and around the prison were used extensively by online and traditional media. The entertainment factor was more dominant online, with aspects such as astrology and “tours” of the prison location among the more bizarre elements.

Astrology was a fertile field for sensationalism in Schapelle Corby’s case (as it was with Madeleine McCann), as online astrologers calculated her chart and attempted to determine her circumstances and future. When sentence was passed, one astrologer wondered “why the plight of this beautiful and frail looking young woman” had created such media attention and “involved the Australian public in a way not seen since the Lindy Chamberlain case” (Thompson, 2005). The astrologer stopped short of pronouncing her own verdict, although she found Schapelle Corby’s behaviour had “touched her heart” and that there was an element of deception from someone else involved. In a similar manner, astrologer Kingsley found “friends and favours from high places” showing prominently in “her chart as well as her high hopes” (Kingsley, 2008) and managed to include the information that she had visited a beauty salon in Bali. This information was considered important enough to be released by Reuters, who added the detail that she had spent “several hours having her hair and nails done”

(Rondonuwu, 2008, July 2). Ed Tamplin claimed the astrological placement at the time of the judges' verdict ensured "it wouldn't be good!" He proceeded to quote parallels with the astrological reading for Azaria Chamberlain and to link his reading to a prediction that a new Prime Minister would be elected by September 2005.

On a different note, another website offered tours allowing people to view Schapelle "in her cage at Kerobokan Prison", with options including a photograph taken in front of the "cage", a Feeding Time tour, Up Close and All Day tour (Hutauruk, n.d.) (Appendix 7). While it was exceedingly likely that the site was an attempt at black humour, it nonetheless contributed to the sensationalism of media coverage with its emphasis on entertainment and no comparable coverage was found in traditional media, although the entertainment aspect came into play with a review of the movie "Ganja Queen", aired by HBO. The review adopted an informal tone and suggested that people should "take note of the shady characters on both sides of the story" (Grenada, 2008, December 6, para. 7). The *Economist* stated "the trial had the air of a television reality show" ("Busted: A drugs conviction sours relations between the neighbours," 2005, para. 4).

When *New Idea Magazine* published an article revealing details of Schapelle Corby's "unknown life" in Japan, the author, who then posted the story online, stated: "In Australia the article attracted almost sensational attention" (Tanaka, 2005). *Japan Today* online reported the trial, but omitted any mention of the Japanese connection. Discussion on the site attracted 40 messages from the public, including one from Canada ("Bali court sentences Australian woman to 20 years for drug smuggling," 2005). Online, *smh.com.au* (featuring a prominent picture of a wide-eyed Schapelle Corby behind bars) made a brief mention of her marriage in Japan and, under the headline "Heard the one about the Corbys' dark past?" also included reference to examples of black humour, portrayal of her brother as a drug dealer, the family's seafood outlet and the price of their house in Tugun, Gold Coast (Wainwright, 2005).

Quoting a selection of rumours that "spread like wildfire online" (McMahon, 2005, p. 10), *theage.com.au* said "no Australian defendant has ever been so exposed", (McMahon, 2005, para. 1), raising the distinct possibility that at least some of the rumours had found their way

to traditional media. In addition, *theage.com.au Media Blog* (2005, para. 6), quoted Tom Percy QC's claim that "media hype" had prevented a better verdict. However, the same article concluded: "But media hype, keeping a story alive, is a surefire way of maximising resources." In addition, "The Australian media quickly moved to sensationalise her plight and use it to boost newspaper sales, network ratings and advertising revenues ... Corby and her family were either scandalized or glorified, depending on the media outlet's particular angle" (Phillips, 2005a, para. 6).

Sensational aspects of the trial were highlighted on the *PM* radio program as "soap operatic moments", with appropriate soundbytes from Schapelle Corby and commentary: "tears ... the courtroom collapse ... and, of course, that denial" (Lloyd, 2005). The "soap opera" parallel was used extensively by online and traditional media. In October 2007 *The Daily Telegraph* contributed to the publicity with an article headlined "Schapelle Corby: I want a baby", afterwards carried online on *news.com.au* (Wilson, 2007, October 9). This example, in common with other stories, was initiated by Tony Wilson (*Gold Coast Bulletin*) in traditional media and then carried in online coverage. However, not only the Australian media were guilty of sensationalism. One of the more outlandish articles was an early release from Agence France Presse which quoted a Bali police spokesman saying Schapelle Corby "had told customs officers that the drug was a type of food for horses" (Agence France Presse, 2004, October 13).

Although it was difficult to determine whether the element of sensationalism appeared first online or in traditional media, it was obvious that it was a notable feature in the reporting by each, with perhaps the additional facilities of the Internet permitting greater latitude.

5.4.2 Interactivity

Public comment online manifested itself in numerous chat rooms and blog sites, notably in sizeable on-line petitions to "Free Schapelle Corby" ("Free Schapelle Corby from Bali," 2005; Help bring Schapelle Corby home ...a free woman!," 2005; Singer, 2005; Welcome to Schapelle Corby's web site," 2005). By May 14 2005 the home page online petition had drawn over 13000 signatures, despite another online article claiming "email petitions of this nature are virtually useless" (Christensen, 2007). The case was also taken up on *oprah.com*

Community message board, with seven contributions received ("The sad story of Schapelle Corby," 2008). Another website declared itself "dedicated to spreading the work on Schapelle Corby's unjust jailing in Indonesia" ("Spread the truth about Schapelle Corby," 2008) and carried contributions describing music tracks dedicated to Schapelle, as well as supportive messages from countries as far apart as Singapore, the United States, Canada and Australia. One item on this site covered the sacking of *Gold Coast Bulletin* reporter Tony Wilson (Cross, 2008, para. 4), an incident revealed on a "Utube forum" "24 hours prior to the morning in which Tony Wilson received notification from his employers ...", a clear indication of the Internet being first with the story and thus influencing the reporting in traditional media. In the same article, Human Rights Advocate Kay Danes of the Foreign Prisoner Support Service was quoted defending Tony Wilson and suggesting the news had been leaked by News Limited (his erstwhile employer) to discredit "a former employee who has an outstanding journalistic record".

However, interactivity was not all in favour of Schapelle Corby. Pro-Corby websites were being attacked by "international computer hackers" and Daniel Pocock said: "They think they can attack these sites and they can try and stir up trouble, but, for every site that comes down, two more Schapelle sites come up" (Gibson, 2005, para. 11).

Yet, confirming other responses to the original questions in this dissertation, interviewee Tony Wilson (*Gold Coast Bulletin*) did not accept that traditional media had picked up on the blogs to a large extent, "because good media operators are wary of the veracity of blogs". However, he acknowledged his own contribution to shaping public opinion and conceded "no doubt blogs have helped", perhaps agreeing with Herbert (2000, p. 3) that "taking part in discussion lists and news groups is one of the best ways to remain informed about news stories". Nevertheless, interviewee responses to this study indicated that results from research conducted in 1997 were more probable: "It is likely that it will take several years before the Internet is generally accepted in Australian newsrooms" (Quinn, 1998, p. 258).

5.4.3 Celebrity

It did not take nearly that long for Schapelle Corby to become established as a celebrity in the eyes of the media. Moreover, of the three cases analysed for demonstration purposes,

Schapelle Corby's was the only one to attract the attention of a celebrity agent, with Harry M. Miller reported to be "negotiating a deal" (Phillips, 2005a). Similarly, "a Melbourne entrepreneur registered the young woman's name as a luggage brand – the Corby Case" (Phillips, 2005a, para. 11). High-profile personalities pleading her cause included actor Russell Crowe, who said on a radio talk show: "How can we, as a country, stand by and let a young lady, as an Australian, rot away in a foreign prison?" (Bonner, 2005c, para. 7). He referred to the "hundreds of millions of dollars" given in tsunami relief and called on then prime minister John Howard to help ("Crowe steps into drug smuggling case", 2005).

The celebrity label was also applied to Schapelle Corby's lawyer ("Corby's trial may be reopened, lawyer hints", 2005) and to one-time financial backer Ron Bakir, who established a company bearing her name (Trembath, 2005). Once Schapelle Corby had become a public figure, the element of personalisation played its part in keeping her in the spotlight. "‘Personalisation’ is not solely dependent upon celebrity stardom on a global scale" (Greer, 2003, p. 51).

The more clearly and unambiguously the deviant personality can be defined (thus reducing uncertainty and intersecting with the news value of 'simplification') and, most importantly, located within a context that will be culturally meaningful to the news reader (proximity) the greater the overall newsworthiness of the story (Greer, 2003, p. 50).

In addition, this story demonstrated personalisation in a different context, "through the reporter as 'crime specialist'" (Ericson et al., 1991, p. 78), particularly in the case of Tony Wilson (*Gold Coast Bulletin*), who achieved a level of rapport with the Corby family and established himself as an authority on Schapelle Corby's story. As his online articles were 'lifted' by journalists in other parts of the world, he himself was an example of the way in which the Internet had influenced reporting in traditional media. However, online, Australia's image was not all positive. *Washingtonpost.com* carried a quote from a member of the Indonesian parliament's foreign affairs committee: "There is a kind of superiority complex in Australia and a bit of racism ... it's ironic that someone who has been convicted of smuggling drugs like that becomes a celebrity and heroine in Australian public opinion" (Sipress, 2005, para. 6).

5.4.4 Social Responsibility

The respondents' comments on why they included crime in their overall news coverage focused largely on their social responsibility role and the need to let the public know what crimes were being committed and what justice was being meted out, perhaps summed up best by Garry Bailey (*The Mercury* and *The Sunday Tasmanian*): "People need to know the state of law and order. People need to know whether the sentencing practices of our courts for example are meeting, exceeding, or failing to meet our community expectations." However, Andrea Clarke (Reuters, Washington) added the proviso: "... we also have the responsibility not to just report crime just for the sake of reporting it". The former responsibility was fulfilled to the letter with the Schapelle Corby case, although the extravagant reporting of the story sometimes demonstrated that certain media were oblivious to the guidelines of the latter.

In the eyes of the media, the state of law and order in Bali was as much on trial as Schapelle Corby. There were the questions surrounding the presence of the marijuana in her luggage: *The Sunday Mail* reported the arrest on October 10, 2004 with a quote from her father: "She's been set up" (Wockner & Murphy, 2004, para. 10) and two AAP bulletins issued on October 11, 2004 raised the possibility of the cannabis having been planted in the body bag ("Accused student may be a victim: lawyers", 2004; "ASIA: Gold Coast woman's lawyers investigate drugs plant theory", 2004). There were the continuing protestations of innocence and the "outcry" over the sentence, as well as the ongoing links to drug-smuggling operations at Australian airports (Weefur, 2005). *Drug Policy News* called what had happened "a tragedy" and stated "it's been heartening to see the Australian and international community's mobilization around reforming draconian drug laws" (Weefur, 2005).

Internet and traditional media, particularly Australian television, carried their social responsibility role through to coverage of conflict between friends and family, drug-related history of friends and family, controversy surrounding the hiring and firing of the legal team, the trial itself and the later airing of the two-part documentary. The public was not left in the dark about a single facet of the state of law and order in relation to Schapelle Corby and the Indonesian legal system. Reporting and debate continue to the present day.

If, as Ericson et al. stated (1991, p. 74), the news provided “stable meanings” and “... news operatives help to give shape to moral order and its articulation with social order”, what meanings and shape have the media given to either order with their reporting of this case? A less-than-flattering link between traditional and online media was provided by *The World Socialist Web Site*, which stated “The Australian media in full flight ... is truly a disgusting spectacle” (Phillips, 2005a, para. 7).

5.4.5 Legal and ethical

Ethical considerations were raised about the behaviour of the media, with the conduct of many “largely tabloid” publications described in a traditional media magazine as “lamentable at best” (Schwartz, 2005), with particular regard to trial by media and chequebook journalism. The role of the media in setting the agenda for the public involved:

... tonnes of newsprint and hours and hours of broadcasting material ... elevated Schapelle Corby to almost instantaneous celebrity status ... It was as if the Bali trial had become a new reality TV show, with Corby starring as the innocent celebrity victim (Schwartz, 2005).

Chequebook journalism was also cited to measure the conduct of media outlets, with “Kerry Packer’s Nine Network and magazine stables” coming in for special scrutiny. The author pointed out that when sections of the media had “full access to key players”, the information gained from paid sources was often presented in a way that was favourable to the sources. “The notions of objective fair and accurate journalism are forgotten in the need to sensationalise the story” (Schwartz, 2005). The same magazine author then focused on different arms of the media. In print,

... the Murdoch tabloid press joined forces with its web news outlet *news.com.au*, as well as Packer’s huge *ninemsn.com.au*, to set a very particular agenda, although the broadsheet *The Australian* presented a ‘more balanced and less sensationalized’ point of view, apart from an article implying that too must be presumed guilty (Schwartz, 2005, p, 138).

5.4.6 Trial by media

The concept of trial by media was demonstrated to an extreme degree in media coverage of Schapelle Corby's arrest and imprisonment. In a manner similar to events on the Geraldo Rivera Show on the Jon-Benet Ramsey case in the United States (Rosenberg, 1997), an Australian television channel invited a studio audience to cast their vote for Schapelle Corby's innocence or guilt in a program the Law Council of Australia called a "three-ring television circus". The trial was reportedly conducted with the use of an electronic device previously used in political voting. Law Council president John North said:

In a crass scramble for ratings, the producers of this program are taking Ms Corby's case out of the courtroom where it should be decided and turning it into a three ring television circus. It is at best irresponsible and at worst potentially very harmful to her plight (Nick, 2005, para. 8).

In similar fashion, Paul Kalina (2006, February 23) writing in *theage.com.au* compared the "prolonged live broadcast from the Bali courtroom" of Channels Nine and Seven when reporting on Schapelle Corby to the lack of live coverage by Nine and brief coverage by Seven of the sentencing decisions relating to the trials of the Bali nine. He quoted radio research company Reham's finding that "only 29 percent of callers were critical of Schapelle Corby". He also cited the comments of media commentator John Schwartz, referring to Channel Nine's assumptions of Schapelle Corby's innocence: "When we see these cases live, though it's a real person and a real judge handing out a real sentence, it becomes surreal and just another form of entertainment" (Kalina, 2006, para. 27).

Schapelle Corby's trial by media was closely interwoven with the issue of representation of the criminal justice system. A blog site *corbyisguilty.blogspot.com* (2005) quoted a headline from *The Australian*: "A fair trial, but not in our media" and tied the trial by media concept to the Indonesian justice system: "... once you assume a defendant is innocent, then Indonesia's legal system is guilty of an outrageous injustice. The point, of course, is that the media doesn't know that Corby is innocent. It has NO JUSTIFICATION WHATSOEVER for this assumption".

In ABC Television's "Media Watch" screened on May 30, 2000, presenter Liz Jackson (2005) opened by saying that, although few Australians were privy to full details of Schapelle Corby's case, "that hasn't prevented our media commentators from running their own trial of the Indonesia's justice system ... based on the premise that we know Schapelle is innocent, it's the Indonesians and their legal system that are in the dock". She was referring specifically to two radio talk-show hosts: Alan Jones, who called on Prime Minister John Howard to ask the Indonesians for a pardon; and his 2UE competitor John Laws, who gave airtime to callers putting forward the opposite point of view.

News.com.au published a selection of readers' comments in May 2005, giving opinions on "the handling of Schapelle Corby's case" and *Goldcoast.com.au* mentioned "startling revelations" in the documentary program and invited readers to have their say on Schapelle Corby's claim of innocence. Some of the resultant comments included: "How shocked I am ..." (Brenda of USA), "To the press, drop the story" (Libby Mitchell, Melbourne), "Who cares? Guilty – simple!" (Pete, Gold Coast) and "Can't the media just let it be?" (M Linkermann, Queensland) ("Corby defence up in smoke," 2008). In traditional media, a poll in the *Northern Territory News* asked whether Australia "should intervene if Schapelle Corby is given the death sentence in Bali" and received a "no" response from 59 percent of participants ("Letters to the Editor," 2004).

Public opinion remains as divided now as it has been since Schapelle Corby's arrest and the continued publicity and online exposure of user-generated content are likely to prolong the trial by media well beyond the eventual outcome of the case.

5.4.7 Representation of the criminal justice system

Although Surette maintained the criminal justice system was more likely to represent the background to a story than to be the subject of the story (Surette, 1998, p. 69), representation of the criminal justice system was a noticeable factor in media coverage of this case, with opinion divided amongst the media and amongst the public. Initially, most public opinions demonstrated a negative bias:

... irregularities in the police investigation and the trial provide grounds
for "reasonable doubt" about the verdict. Innocent or guilty, the 20-year

jail term is a travesty and will see the best years of this young woman's life wasted behind bars (Phillips, 2005, para. 3).

However, Phillips countered this by quoting Geoffrey Barker, foreign editor of the *Australian Financial Review*: "The great wailing and lamentation over Schapelle Corby's trial and 20 year prison sentence is unwarranted, counterproductive and potentially damaging ... Corby has fallen foul of tough anti-drug laws about which every Australian traveller is fully informed" (2005, para. 23). This clear polarization of opinion was found in a cross-section of media and frequently included allusion to the criminal justice system in both Australia and Indonesia. Professor Tim Lindsey of the University of Melbourne referred to confusion about the Indonesian Justice System and those reports suggesting it was "biased and primitive" (Trott, 2005). In the same media release he was quoted as saying "... we should not condemn the Indonesian system on false grounds or simply because it is different to our own" (para. 8). The Indonesian justice system was also singled out for comment by Tony Wilson (*Gold Coast Bulletin*), who called it "very corrupt". However, he qualified this with the acknowledgement that it had been "demonised" both online and in traditional media and he believed many Australians attacked it because they did not understand it and therefore were afraid of it.

Online, *baliblog* listed criticisms of the prosecution's case as failure to fingerprint the bag of cannabis and analyse its contents, as well as its rejection of assistance offered by the Australian Federal Police (O'Neill, 2007). *News.com.au* published a selection of readers' comments in May 2005 on the topic of "the handling of Schapelle Corby's case," and a number of contributors were critical of the Indonesian justice system, some calling for an Australian boycott of Indonesia and one even suggesting sending in the SAS to rescue Schapelle and "teach these uncivilized people a lesson". However, contributors were equally critical of the Australian Government and a small number agreed with the Indonesian finding.

The reality was, however, that the Howard Government has refused to condemn the serious irregularities in the police investigation, the show-trial nature of the court proceedings, or uttered a word of protest against

Indonesia's repressive drug laws and death penalty (Phillips, 2005c, para. 33).

The Australian News Bureau of *News.org* (Clancy, Gavi, & Vance, 2008) published a comprehensive Investigation on 'Schapelle – The inside story', which incorporated most of the facts already known, including that no evidence had been presented confirming she had either 'packed or checked in' the disputed marijuana find and claimed "A comedy of 'errors' and 'coincidences'" then ensured that the origin of the marijuana had not been traced. The same article linked the case with drug-smuggling by baggage handlers and claimed "corruption is rife within the Australian Federal Police and the Drug Section of the force ... The AFP seem determined to offer up Schapelle Corby as sacrificial lamb to halal slaughter"(Clancy et al., 2008). This article put forward a negative view of the criminal justice system in both countries and speculation about the baggage-handlers' involvement was repeated in online and traditional media coverage.

The New York Times was blunt: "Ms Corby has been portrayed as a damsel in distress, the victim of a corrupt judicial system in a backward nation" (Bonner, 2005a, para. 5). Writing in *searchsa.com.au*, Roslyn Ross referred to the public belief that Schapelle Corby was innocent at the hands of the "infidel" Indonesians, but pointed out that many Australian legal opinions pronounced the trial fair and "it was clearly demonstrated that the court ruled openly on the evidence before it, having found hard proof of guilt and corroborative evidence to that effect" (Ross, 2005, para. 6). Instead, Ross turned her attention to the Australian Government and the political fallout of the circumstances.

5.4.8 'Lyndification'

As was demonstrated in analysis of both earlier demonstration case studies in this chapter, linkage to Lindy Chamberlain provided an easily accessible means of prolonging interest in Schapelle Corby's story and reviving interest in Lindy Chamberlain's. Evidence suggested the possibility that any Australian woman involved in a criminal case was likely to be compared with Lindy Chamberlain and this one was no exception. On ABC Radio National program *PM* in May 2006, Peter Lloyd said the case was "one of the most talked about since Lindy Chamberlain ..."; Anne Summers (2005, para. 2) called the women "Australia's two

most celebrated women of crime” and said Schapelle Corby’s website was “an organizing tool that Chamberlain-Creighton’s supporters could never have imagined”. She said such media attention had never been seen before the disappearance of Azaria Chamberlain in 1980 and wrote about:

... an extraordinary national fixation, generating heated and polarising debate, inflaming passions, igniting fanciful rumours and sickening jokes, and creating levels of hysteria, including an astonishing media frenzy, that seems quite bizarre when you consider that both cases involved previously unremarkable young women who became infamous for being charged with crimes they both denied committing (Summers, 2005, para. 4).

ABC’s *7.30 Report* called the Schapelle Corby case “one that has gripped the attention of the Australian public like no other since Lindy Chamberlain” (Carlisle, 2006). One of the more esoteric examples of ‘Lyndification’ and Schapelle Corby was the astrological link provided by *edtampin.com* (Tampin, 2005), which paralleled Schapelle Corby’s astrological reading with Azaria Chamberlain’s. Tony Wilson (*Gold Coast Bulletin*) acknowledged the obvious comparisons between the two women, but said “Schapelle is the more attractive”. He also claimed she had become a bigger story than Lindy Chamberlain, “partly due to the immediacy and amazing range of the Internet”. This view not only demonstrated the interactivity between the two arms of the media, but also provided a direct answer to the research question of this study.

Tony Wilson also stated Schapelle Corby was still newsworthy after four years. He considered she had become a bigger story than Lindy Chamberlain and he attributed this to the “immediacy and amazing range of the Internet”. He found another similarity in that two white women “faced adversity, with supporters and detractors for each one”. However, it must be acknowledged that, according to coverage in all three demonstration case studies in this chapter, Lindy Chamberlain is still newsworthy after 28 years, making it a moot point whether Schapelle Corby has become a bigger story.

Online, *searchsa.com.au* stated:

There is a case to be made that being young, pretty and almost permanently tearful will help make people think you're innocent, particularly when we look back at Lindy Chamberlain's experience where the public were just as passionate in their conviction, but about her guilt. Lindy Chamberlain was not as young, not as pretty and she did not cry. Even worse, she did not 'react' as a bereaved mother was expected to react and the public lunged for the jugular and condemned her outright (Ross, 2005, para. 4).

Yet, despite the many similarities in media approach to the two cases, one area was unique to Schapelle Corby: the prospect of the death penalty.

5.4.9 Death Penalty

Schapelle Corby's story is the only demonstration case in this study carrying the additional newsworthy element of a possible death penalty. Australia is against the death penalty and the prospect of her receiving such a sentence would have added considerably to the public interest factor. Before the verdict was announced, media in both forms magnified the interest of their stories with reference to the death penalty ("Accused student may be a victim: lawyers", 2004; "ASIA: Gold Coast woman's lawyers investigate drugs plant theory", 2004; Aston, 2004; Carroll, 2004; "Dad: My girl is innocent", 2004; Moore, 2004, November 4; Phillips, 2005c; "Why chequebook journalism sells readers short", 2005; Wockner, 2004).

Some media outlets added gravitas to their articles by pointing out the number of executions that had taken place recently and the number of convicted individuals awaiting execution ("Accused student may be a victim: lawyers", 2004). *Drug Policy News* conveyed the information that the Indonesian prosecution had "pushed for the death penalty" and linked the "inhumane sentences" to China, "where, once a year a public execution of people convicted of drug offenses takes place marking the UN's International Anti-Drug Day" (Weefur, 2005). *The New York Times* mentioned that Schapelle Corby could have received the death penalty, but also explained the "strict drug laws" and that "imposition of death sentences for the convicted are not exceptional" (Bonner, 2005, para. 4).

5.4.10 Family

Schapelle Corby's story was also noticeable for its continued linking to various members of her family. Allegations in the media against other members of the Corby family were not infrequent. In the *Herald Sun*, Schapelle Corby's father was accused of being investigated for running drugs (Wright, 2008). The story was carried on *news.com.au* and contributors' postings again exhibited both support and condemnation, to be followed seven hours later by another report on *news.com.au*, emanating from AAP, casting "doubt" on the allegations and saying Queensland Police had found the claims to be unjustified (Barbeler, 2008). However, on July 13 *news.com.au* published a further report quoting "an Adelaide drug trafficker" saying the drugs found in Schapelle Corby's bag belonged to her father (Staff Writers and Wires, 2008).

Comprehensive details of family drug links were provided online by Herald Point in their series on Australian criminals. Facts given included that her father had been fined (but not convicted) for cannabis possession; that her half-brother had been convicted of a "range of offences" and was currently in a Queensland prison on charges including drug possession; her brother, who had been travelling with her when she was arrested, faced charges of breaking into a drug dealer's house and stealing "cannabis and cash" and received a four-year suspended sentence with a "non-parole period" (Colvin, 2007).

Here again, it was less easy to determine which form of the media had been first to investigate members of the Corby family, but it is likely in this instance that the Australian traditional media had broken the stories. However, once the details were in circulation, online media played its part in keeping up the momentum.

5.4.11 Legal issues

Apart from her arrest and trial, Schapelle Corby's case was dogged by legal issues, reported online and in traditional media. Lawsuits arising from the situation included Channel 7 losing a defamation suit brought by Mercedes Corby (Staff Writers, 2008). Moreover, the shadow of fraud, raised earlier in this chapter in the demonstration case study of Madeleine McCann also came into play with Schapelle Corby, as described by Tony Wilson (*Gold Coast Bulletin*):

I've been very strident about people making money out of it (Schapelle Corby's website) ... I've attacked people for setting up websites wanting to make money out of them ... these people have come back and got very hostile with me, so what's happened is that the web has become three stories. That shows the power of the web.

Tracy Bowden (7.30 Report) also referred to the websites and claimed to "get a sense of what might be a reliable source and what might not", admitting to using the Internet during the Corby case: "... during the day when she was in court and I was here, not in Denpasar, I found that the *Sydney Morning Herald* site was very quick with the information and so I would tend to keep that open" and "the interesting thing was that I was getting information from them more quickly than I would get it from the ABC radio".

Yet an operator of a pro-Corby website had been forced to close the site, because "I am unable to verify the relationship to the Corby family of ANY website claiming to be raising funds or selling products on their behalf" (Gibson, 2005, para. 14).

5.4.12 Physical Attractiveness

As all three key figures in the demonstration case studies in this chapter are female, the importance of their physical attractiveness featured in a large proportion of the media coverage both online and in traditional media. Relating to Schapelle Corby, comments included "But Ms Corby, young, female and attractive, is not like most defendants" (Bonner, 2005c, para. 5) "... the attractive, doe-eyed woman ..." (Lloyd, 2005); online, Phillips (2005, para. 9) referred to her "strength of character, not to mention the careful styling and stunning good looks, improved in recent months, by jail-time weight loss ..."

Online site *The Fifth Estate* summed it up in a headline: "'Beauty Schapelle' and the media beast" and said: "It has all the elements of the most captivating soap opera, a beautiful leading lady caught in an international drug scandal, claims of innocence and tearful pleas for mercy" (Fifth Estate, 2005, para. 4). Tony Wilson (*Gold Coast Bulletin*) acknowledged that Schapelle's attractiveness played a "huge role" with the media, but said by the time her

verdict was announced in May 2005, “her good looks were no longer as big a factor as they had been.” He said:

But the truth is if it had been an ugly female or a male in the same situation, it would never have reached the saturation level of media coverage that it did. And you certainly would not have seen two Australian TV channels covering the verdict day live, if the person did not look good on camera. This appealed to the lowest common Australian denominator – pretty white girl in the clutches of evil, coloured, Muslim Asian hordes and the media, specially TV gave the Aussie plebs what they wanted.

In the online blog *The Desert Star*, Bob Innes (2006) stated “it is only the revelation of her predicament as a visual phenomenon which elicits our sympathy.” The National Centre for History Education (Cochrane, n.d.), an Australian Government website, also discussed how television images had become “such a dominant force in society” and attributed the “huge outpouring of sympathy for Schapelle Corby” to the images beamed to Australian television viewers.

In the cases of Evdokia Petrov and Schapelle Corby, the media focused a great deal on their appearance ... Their appearance it seems made them more newsworthy ... in the case of Schapelle Corby, that newsworthiness translated into public support, and that public support translated (it seems) into political action ... It had an effect, it seems, on the way ‘history’ unfolded.

Schapelle Corby’s appearance and manner were also credited with making her guilt “implausible” and “... have bolstered her claim she is innocent ...” (Phillips, 2005a, para. 9). Australian radio host Derryn Hinch said: “Corby has been getting all the attention because she is young, white, pretty and has big boobs” (Hinch, cited in Berry et al., 2005). Furthermore, “Schapelle Corby is always pictured as the ‘all-Australian’ girl: a student a daughter, a nice ordinary young girl who works in the local fish and chip shop and who loves surfing” (Firdaus, 2006, p. 7). *The New York Times* description was: “young, female and attractive” (Bonner, 2005c, para. 5).

The words *beauty therapy student* may seem to be an ordinary descriptor but it is chosen among other descriptors and it is used repeatedly, hence it has certain implications. The message is that Corby is too nice, too normal to smuggle drugs, she is only a student, a beauty therapy student who aspires to things beautiful, clean and neat, and the fact that she looks innocent, beautiful, clean and neat must confirm all these (Firdaus, 2006, p. 11).

In addition to those examples of this use of language already mentioned in this section, other media in both forms adopted the description (Aston, 2004; Busted: "A drugs conviction sours relations between the neighbours", 2005; "Corby stands by her story", 2004; "I am totally innocent, insists woman on cannabis charge in Bali", 2004; Powell, 2004) and journalist Cindy Wockner, reporting from Bali for a number of Australian newspapers, including *The Sunday Mail*, *Sunday Telegraph*, *Sunday Mail*, *Sunday Times* (Perth), *Herald-Sun*, *Courier-Mail*, *Sunday Herald Sun*, referred to Schapelle Corby on each occasion as a student or beauty student.

Authors Muraskin and Domash suggested:

One must take notice of all the women who have gotten so much media attention for their crimes, though they did not commit offences that were as atrocious as those of their male counterparts ... the public is not aware, or is just not interested, if a man commits the same crime (2007, p. 116).

This supposition was endorsed by *smh.com.au* with its online sub-head: "If Michelle and Schapelle were men, would the media care?" and stated:

Honorary page three chicks, the lot. Caught in the camera's eye, and embraced, stripped bare, prodded, poked and then discarded. As women, they are not just part of the news – their beauty, their eye, their breasts, their clothes – pass for news itself, chopped and packaged as consumable items. Tasty morsels, one might say (Stevenson, 2005, para. 5).

This presumption can be tested when the publicity accorded to Schapelle Corby is compared with that given to the ‘Bali nine’ or male drug criminals including Nguyen Tuong Van, hanged in Singapore, or Graham Clifford Payne arrested in Singapore (Stevenson, 2005). “Many cases involving foreigners on drug charges with considerable evidence have taken place in the same court, but they didn’t receive such attention” (Noszlopy et al., 2006).

5.4.13 Political implications

Schapelle Corby’s case attracted more political involvement than the other two demonstration case studies researched for this paper. Her father reportedly wrote to then prime minister John Howard, who, although sympathetic, was allegedly reluctant to interfere in another country’s judicial system. The television program *Sunday*, broadcast on Channel Nine, suggested that Schapelle Corby had sacked her Indonesian lawyers, because Perth QC Mark Trowell – enlisted by the Australian Government to run her appeal – had accused them of suggesting payment of a bribe to the appeal court judges. On the program, presenter Ross Coulthart (Coulthart & Dikeos, 2003) asked the Corby lawyer Robin Tampoe (who was also leaving the team): “Isn’t the Indonesian justice system corrupt?” To which Tampoe replied: “Look, I won’t go there, Ross.”

A further political link was made online on the World Socialist Web Site, which called the official response to Schapelle Corby’s “plight” “a revealing exposure of the debased character of political life in Australia”. The same article attributed the Howard government’s motivation in “downplaying the case” to “the overriding determination of Australia’s ruling elite to maintain close relations with the new Indonesian government of President Susilo Bambang Yudhoyono” and claimed Howard “feigned concern and offered limited assistance” (Phillips, 2005a, para. 15). The website *schapelle.net* commented on the “strategic relationship” between Australia and Indonesia, a relationship that “trumps Schapelle Corby’s human rights” (“The Australian media campaign”, n.d., para. 2).

On November 16 2004 *The Gold Coast Bulletin* reported that then Foreign Affairs Minister Alexander Downer would be asked “to allow the Australian Federal Police to work on the drug case of Schapelle Corby” (“Cannabis DNA test for Corby,” 2004) and on November 23 2004 *The Sydney Morning Herald* reported the agreement of the Australian

Government to help her legal advisers (Moore, 2004). Online, the World Socialist Web Site suggested the Corby case raised “a number of basic legal and political questions” and highlighted the lack of security measures in Bali and Australia, with Qantas having destroyed the CCTV tapes from the baggage handling area. Then Foreign Minister Alexander Downer allegedly “arrogantly declared” that he was “not the minister for tapes” (Phillips, 2005c, para. 10).

The Daily Telegraph predicted that talks between the Rudd Government and Indonesia could see Corby return home “within a year”, although the headline was a little more specific (Linnell, 2008, March 3): “Schapelle Corby may be in Australia by Christmas.”

5.4.14 Finding

The most significant factor to emerge from analysis of Schapelle Corby’s case was the profusion of media coverage it had attracted and was continuing to attract. The overabundance of reports and user-generated content in online and traditional media added significantly to the already complex task of selecting items for analysis. In addition, the subjective nature of much of the reporting and the clear indication of a verdict already reached made it imperative to retain an open-minded approach and to view all coverage as objectively as possible. What it had achieved were the meteoric rise to celebrity status of a previously unknown individual and the intense polarization of public and media opinion.

Chancer referred to high-profile crimes as “provoking assaults” and sharing certain characteristics:

First, they are highly profiled incidents of violent crime that become symbolic of perceived social problems in a given time and place, engaging a broad range of participants. Secondly, as they become symbolic, these incidents frequently merge legal cases and social causes Third ... provoking assaults generate controversies about whether responsibility for a given crime rests with individuals or social forces, and whether apparent perpetrators were actually victimized, or apparent victims culpable to some extent. Fourth, because only a single incident is decided by an “either/or”

verdict ... dissatisfactions tend to remain even after verdicts are handed down (Chancer, 2005, p. 7).

The characteristics of particular interest in reporting the story of Schapelle Corby were the second, third and fourth, with the merging of legal issues and social causes, the controversy about where the responsibility rested for the crime, whether she was victimised or culpable and the dissatisfaction remaining after the verdict. Despite the original sentence and its subsequent cutting and restoring and cutting again, public interest has waned in neither intensity nor argument. Perhaps it was simply a question of timing and the right media interests being in the right place at the right time: her typical holiday trip to Bali, the prevailing national sentiment evoked by the Bali bombings, her youth and photogenic appearance; all played their part and together they presented a formidable element of newsworthiness.

Moreover, a number of unique factors applied to Schapelle Corby's case. Its development encompassed the possibility of the death penalty - adding its own *frisson* of danger to the equation – as well as a considerable amount of political fallout. However, the single most significant difference in the demonstration case studies is that Schapelle Corby was the only individual who had been found guilty of committing a crime and was by legal definition a criminal and not a victim. Yet a section of the media and consequently the public continued to blur the definition and portray her as a victim. There was a refusal on the part of some to accept the verdict of the court and most prominent among her defenders was former *Gold Coast Bulletin* reporter Tony Wilson, whose alleged threats made to businessman Ron Bakir ultimately cost him his position.

CHAPTER 6: DISCUSSION

6.1 Introduction

This thesis is concerned with investigating how the Internet has influenced the reporting of crime and criminal justice in the traditional media. Findings towards this objective have included exploring available literature on the topic, as well as conducting an elite qualitative questioning process with 25 respondents from print, radio, television and online news outlets, as well as academia and true-crime literature. In addition, three demonstration case studies of well publicised crime stories complete the triangulated approach to the research. These case studies are incorporated in discussion of the major research question: In what ways has the Internet influenced the reporting of crime and criminal justice in traditional media?

This chapter will take an overview of the accumulated data and results, in some instances departing from the categories and headings developed so far in this study and adapting, omitting or adding others as necessary, in accordance with the theory-building approach of grounded research, as explained by Strauss and Corbin (1988). Some aspects for consideration have emerged from the findings of the three case studies and still others have become apparent as a direct result of the fast-paced development of the Internet and its attendant properties. The medium is in a constant state of evolution and capturing a ‘freeze-frame’ for analysis and discussion became a complicated and sometimes even serendipitous process. Nevertheless, the significance of Internet technology was a salient factor in this research.

6.2 Technology

However the Internet is perceived, it must be acknowledged as a major technological development, with a noticeable influence on the news cycle.

The changes in the accumulation and dissemination of knowledge and information in this revolution are so deep and overwhelming that they are rivalled only by Gutenberg’s invention of the printing press in the 15th century. The Internet we know is just the tip of the iceberg (Alves, 2001, p. 069).

The biggest and most fundamental impact has been in the act of establishment of this arm of the media; without the Internet, there would be no online journalism and no online reporting of crime and criminal justice. This alone must represent the most significant way in which the Internet has influenced reporting and, by extension, the reporting of crime. The digital era has brought with it previously undreamed of facilities for journalists, who “now have the ability to access information almost instantaneously to add depth and context to their stories and articles through the use of online databases” (M/Cyclopaedia of new media, 2004). They can also make use of the Internet at almost every stage of their coverage, from background information to story ideas (Gunter, 2003, p. 98). A reporter can send at high speed a story from anywhere in the world back to the point of publication or, in many instances, can post that story directly on the news site. In the context of the reporting of crime and criminal justice, this could have a dramatic effect, as with the immediate publication of a trial verdict, long before the print media had an opportunity to publish the same news, a critical and far-reaching development in the reporting of crime. Franklin (2008, p. 311) claimed this “online first” policy meant a publication’s website “might cannibalise and publish the paper’s major news story of the day” hours ahead of their print edition’s evening publication.

As a reporting medium, the Internet can be used to spread information quickly and effectively and to cast a wide net for leads (Surette, 1998, p. 232). The London bombings on July 7 2005 were a case in point. Four male suicide bombers killed 52 people and themselves when they detonated explosives on three underground trains and a bus in Central London. “‘In 56 minutes’, an Associated Press (AP) reporter observed on 7 July, ‘a city fresh from a night of Olympic celebrations was enveloped in eerie, blood-soaked quiet’” (Allan, 2006, p. 144). The BBC was in the forefront of news organisations reporting the event on the Internet and other online newspapers followed suit. The public, via the phenomenon of ‘citizen journalism’, were quick to submit their first-hand accounts, sending a plethora of visuals, text messages, videos and emails. Allan was unequivocal in attributing responsibility for the news dissemination: “This remarkable source of reportage, where ordinary citizens were able to bear witness, was made possible by the Internet” (2006, p. 152).

Technology has made a substantial contribution to the public right to know, in disseminating news about crime in a proliferation of web pages devoted exclusively to the topic. *Crime Spider* is just one example, offering the complete gamut of crime and justice sites categorised from Arson to Weird or Bizarre. With the help of suggested links, readers can track details of any criminal case, from white collar crime to murder. Another option, *crimezzz.net*, (Wetsch, 1995-2006) focuses exclusively on serial killers and its Australian examples include Peter Dupas, serial killer John Justin Bunting and underworld figure Carl Williams. Links lead to statistics categorised by date and country, with archives going back to 2003. *APBNews.com* also concentrates exclusively on crime reporting, with original stories supplemented with links to outside documentation and police feeds (Marselas, 1999); and Zubed Geospatial recently launched a free website mapping London crime data ("Zubed puts crime in the map; Free website from Zubed Geospatial maps London crime data," 2008). This kind of information could not be obtained in such detail or with such ease from the traditional media, although the accuracy of this profusion of data remains questionable. Nonetheless, availability of these and other details is one way in which the Internet has influenced the reporting of crime and criminal justice in traditional media.

Deborah Knight (*Ten News*) suggested the biggest advantage of technology was to allow immediate communication through the Internet and said it had "certainly changed television", while Peter McCutcheon (*7.30 Report*) identified the benefit as "using the links to go to greater depths", accommodating the needs of different audiences for different levels of complexity. Perhaps Murray Cox (AAP) was astute in identifying an under-rated Internet asset: the ability to offer quantitative feedback on readers accessing a story, invaluable for market research and identification of audience interest. He called the Internet an "insatiable beast that demands feeding at all times of day ... too much content is never enough" and John Knox (*97.3 FM*), even though he maintained the Internet was "the last card in the pack", stated he would use the Internet to check facts he could not confirm elsewhere. These comments, emphasising the basic attributes of the Internet, would suggest that the tip of the technological iceberg has barely been exposed and that much deeper, more significant features are still to be discovered, particularly relating to the criminal justice system. Surette (1998, p. 179) identified speed and efficiency as the main incentives for the courts adopting

the use of media technology, although “visual media technology in the courts has been resisted because of the effects of news photographic and television coverage”. He pinpointed the difference between the “new in-house application of media technology and news media camera coverage” as the interaction of participants with the equipment, which thus becomes a tool as opposed to a passive presence in the courtroom.

The issue of speed has been discussed in this thesis and was found to offer both advantages and disadvantages, with respondents divided in their opinions. However, almost all interviewees agreed the Internet was invaluable for research purposes, with several citing its convenience when sourcing legal documents such as court records, official judgments and police sites. It was also named a useful tool for researching the background of individuals (Neil Mercer, *Sunday Telegraph*; Broadcast reporter), although the need to check was still present (Neil Mercer, *Sunday Telegraph*; Kevin Naughton, *The Advertiser* and *Sunday Mail*). Gary Hughes (*The Australian*) said he normally used Advanced Google to find databases, while Gail Phillips (Murdoch University) countered this by pointing to the “evanescence” of websites and the possibility of not being able to access the same source at a later date. However, the use of research is identified as an area in which the Internet has had an undoubted influence on the media, crime and Internet nexus. Internet technology was also directly responsible for influencing the course of criminal justice in the controversial issue of identification of a suspect, as described in demonstration case study No 2 in Chapter 5. As mentioned in that section, Joanne Lees was judged to have seen Bradley John Murdoch’s photograph online before identifying him from Police pictures.

Finding: While the Internet benefit of speed is viewed with mixed emotions by some traditional journalists, they are more accepting of its value as a research tool. However, they are less accepting of its veracity, with the tendency to distrust its material evidenced by their stated need to check its data in other sources.

News values remained central to the findings of this research and a priority in the discussion of the results of both the interviews and case studies.

6.3 News Values

News values remain the foundation stones of the journalistic process, including the specialised reporting of crime and criminal justice, but their concepts have proven as evolutionary as the profession itself. While some of the elite interviewees questioned in this study maintained their stance that little had altered since the advent of the Internet, it had to be conceded that changes in journalism had occurred and that these changes had particularly affected the traditional news values described earlier in this paper. This researcher has found and provided evidence that the Internet has been responsible for the erosion of the traditional concept of at least one news value – proximity - and the diminution in significance or change in perception of others, such as timeliness. When Craig (2005, p. 6) stated that measuring standards of “several aspects” of news had been “radically altered” by technology, he referred specifically to timeliness, proximity and prominence, pointing out how technology had re-defined their concepts. So, do we need to re-think our concepts?

On-line news ... offers the depth of a newspaper (or, with hypertext links and electronic archives, even more depth). It offers the attitude and focus of a smart-mouthed magazine. It offers the immediacy and interaction of talk radio (with the added interaction of chat rooms, forums and e-mail). It offers the visual impact of television ... Only a strong mix of traditional values and new technology will prepare students for journalism in coming decades (Lule, 1998, p. 42).

It is this ‘strong mix’ that holds the key to journalism in the future, as does the identification of new news values stemming from and relevant to new technology. If this strong mix will be an example of “out with the old and in with the new”, it must be asked which of the old values, with special reference to crime reporting, will survive the change. Or, will traditional news values disappear? (Deuze, 2001). Results revealed by the literature review in this dissertation, the qualitative questioning of elite respondents and the three demonstration case studies yielded a noticeable change in the traditional concept of news values, or newsworthiness, particularly in relation to the reporting of crime and criminal justice, as crime reporting has been credited with its own definition of news values. These will be discussed in the following section of this chapter, in categories of public interest, entertainment/sensationalism, proximity, timeliness, followed by news values for the new

millennium. This latter category could well endorse the over-riding comment of Murray Cox (AAP): “The whole idea of news values is being skewed.”

6.3.1 Public Interest

A decade ago, Surette listed a “hierarchy of crime news”, from simple space fillers to “secondary” stories which might turn out to be important and “major” or lead stories. Heading the list were the “super-primary” reports, such as high-profile celebrity cases (Surette, 1998, p. 62). Today, these “super-primary” reports are highlighted on the Internet, with celebrity cases spreading from one web site to another, leaning heavily on the celebrity aspect for news value and over-emphasising its priority in the media, crime and Internet intersection. The effect of the Internet coverage on not only that in traditional media but the crime cases and personalities themselves, cannot be overlooked. Responses to this survey revealed interviewees apparently paid little attention to the heavy celebrity presence in crime reporting on the Internet, although most admitted including high-profile cases in their coverage and all had heard of and carried articles about the three demonstration case studies in this thesis. It could well be they had not taken into account the development put forward by Craig (2005, p. 6) who, when discussing prominence as a news value, attributed the change in its perception to the “explosion of media outlets on cable and the Internet”. He maintained the proliferation of content providers made greater allowance for exposure, with the resultant greater number of people now falling into the ‘famous’ category. Furthermore, “Personalisation” is not solely dependent upon celebrity stardom on a global scale” (Greer, 2003, p. 51).

Personalisation was one of the key issues in establishing prominence or celebrity status of the individuals in the three demonstration case studies of this thesis. None of them was famous before the events that defined their prominence. Kate and Gerry McCann and their children were an upper-middle class family living in Leicestershire, who took what turned out to be an eventful holiday with friends in Portugal. Their toddler Madeleine’s disappearance catapulted her name and those of her parents into media prominence that continues to this day. Joanne Lees and Peter Falconio were a typical pair of UK travellers, backpacking their way across Australia, when an unexpected outback encounter resulted in Peter Falconio’s disappearance and Joanne Lees’s rise to the famous category. Schapelle Corby was an

attractive young Australian woman with family ties to Bali and would never have made the headlines had 4.1 kgs of marijuana not been discovered in her bodyboard bag. Yet Kate McCann, Joanne Lees and Schapelle Corby all achieved media prominence on a global scale.

“Prominence may be measured on a variety of levels, from the very local to the international ... when the media confers celebrity status on someone, he or she is subsequently deemed to be prominent and potentially newsworthy” (Bainbridge et al., 2008, p. 243). The same authors cited the impact of celebrity on the influence of prominence and said it had also “elevated human interest as a news value”. All three demonstration case studies reflected the angle of human interest, contributing further to their newsworthiness and longevity. Interviewees in this study rated public interest the most important news value and each of the three demonstration case studies rated highly in this respect, for different reasons.

Madeleine McCann was four years old when she disappeared, a natural focus of public interest and a gift to the media who “ ... make a ‘motherhood issue’ out of family-related troubles” (Ericson et al., 1989, p. 263). The story offered a multitude of angles and the parents’ willingness not only to cooperate with the media, but also to harness it for extra publicity, kept the case in the public eye. Joanne Lees was attacked by a “predatory stranger” in the mysterious and reportedly menacing Australian outback and her partner disappeared, presumed murdered. Schapelle Corby was a young, attractive Australian woman, supposedly embarking on a long-awaited holiday with her sister in Bali, when 4.1 kgs of marijuana were discovered in her bodyboard bag. Hostworks, supplier of “leading Australian online services” reported the Schapelle Corby verdict “was the biggest news story in Australia since 9/11” (“Corby verdict sets post 9/11 online media record,” 2005). These disparate facts all helped raise the stories to the level of super-primary reports (Surette, 1998, p. 62) and the Internet spread the stories beyond the borders of their home countries, from which point their priority in public interest was assured.

The “explosion of media outlets” referred to above gave extensive coverage to each of these cases, giving their names international prominence online and in traditional media. There can be little doubt the Internet played its part in accomplishing this, a manifestation of

the influence of the Internet on reporting in general and on crime and criminal justice in particular.

Finding: The influence of the Internet has been responsible for consolidating the concept of public interest as a news value, due largely to its increased capacity for exposure and its speed in disseminating information. The reach of the Internet has publicised crime reporting on a global level, with the result that individuals who are victims or perpetrators of crime can become household names to people who otherwise might never have heard of them.

A frequent consequence of becoming a household name is increased media emphasis on issues of entertainment or sensationalism, the next focus of this chapter.

6.3.2 Entertainment/Sensationalism

Interviewee Michael Corkill (*Courier-Mail*) expressed the view of any of his colleagues when he spoke of the “larger responsibility to entertain”; however, in serious reporting of crime, this responsibility must be tempered with fact and information. In some instances, these factors combine happily, as in the UK television program *Crimewatch UK*, of which Jewkes (2004, p. 154) wrote: “The tension between information and entertainment that lies at the heart of *Crimewatch*’s audience appeal is a source of anguish for the program’s producers – or so they claim.” The *Guardian* quoted former editor Angela Holdsworth:

We don’t only focus on violent crime, but we are trying to help the police catch the more serious criminals, and a lot of serious crime involves violence. We agonise over everything we put in. We don’t choose items for their entertainment value. But clearly we couldn’t do something where television wouldn’t help, where there’s nothing to film. A journalistic sense must come into it (*Guardian*, 3 September 1990, cited in Jewkes, 2004, pp. 154-155).

A similar philosophy would appear to apply to *America’s Most Wanted* (<http://www.amw.com>), the equivalent program in the United States, which puts high priority on finding missing children and, in Australia, *Crime Stoppers* (<http://www.cs.cm>). These are

only three examples of the responsible combination of serious crime reporting and entertainment. The “Oh my God factor” described by Paula Doneman (*Courier-Mail*) and already mentioned in this thesis is an integral part of crime reporting, but it is when the importance of fact gives way to the over-riding weight of sensationalism that the journalistic process is brought into disrepute. Paul Doneman followed her comment: “I think that’s where true nature is sensational ... I think that too often people jump to the conclusion that it’s sensationalist when it’s not”.

However, there has been little doubt about the presence of sensationalism in online reporting on some high-profile crimes. The O J Simpson story was a case in point, a case that Court TV called “the gold standard” of the media’s involvement in criminal investigations and that Johnston (1999, p.111) said “put the question of televised coverage of trials firmly onto the Australian agenda”. She pointed out: “... selectivity is part of the media’s role. Unless the coverage is gavel to gavel, there has to be selectivity and the media will always select the most newsworthy aspects of a case”. Greek said: “Sometimes the police want the media to report. Other times they don’t ... usually it’s pretty much a wash” (cited in Lewis, 2002). The same article quoted a reporter for the *Hartford Courant* calling the media’s coverage “irresponsible, sick, destructive and moronic” and blamed the “rash of copycat killings” of those at Columbine High School on the media’s sensationalising of the case (Lewis, 2002).

A further example of the Internet’s contribution to sensationalism in crime reporting can be found in coverage of the child murder of JonBenet Ramsey in the United States in 1997, where the website *The Smoking Gun* (1997) included the County coroner’s autopsy report and another site offered a mock-up of the young victim’s body (Cunningham, 2000; Gerstenkorn, 1999, October 27). Even more sensational was the coverage on the website *ACandy Rose*, mentioned later in the Spectacle or Graphic Imagery section 6.4.4 of this chapter.

All three demonstration case studies in Chapter 5 exemplified the inclusion of sensationalism in crime reporting. The media capitalised on the links to Lindy Chamberlain, still one of the most sensational cases of crime reporting in Australia. The comment “The

news is not the most important thing in newscasts nowadays. It's news and entertainment" (Ribas, 2007), quoted in demonstration case study No. 1, Madeleine McCann, applied especially to her case. Because a child was involved and the case "was driven by the compassion and curiosity of a public that see in Madeleine's disappearance every parent's darkest fear" (Anonymous, "The value of dignity: A trial by media will not help to find the truth about Madeleine McCann," 2007), public interest was already assured and it was consolidated by the addition of entertaining and sensational titbits of information, such as the number of bottles of wine consumed by the Tapas 9 on the evening Madeleine McCann disappeared, the speculation that perhaps Kate McCann had overdosed the child with a sedative, even that the parents had hidden their child's body for days in order to delay its discovery.

In coverage of the disappearance of Peter Falconio and the escape of Joanne Lees, much was made of the relationship between Joanne Lees and another British backpacker, as well as her supposed lack of gratitude for the help afforded her by local residents. The 'dangers' of the Australian outback also helped to raise the level of sensationalism, typified in *The Daily Telegraph* headline: "A Land so foreign and full of dread – Death in the desert" (Chesterton, 2001), as did the headline "Cast as a desert witch," featured in traditional and online media (Cleary, 2006).

Schapelle Corby's media coverage kept up its momentum with the help of regular use of sensationalism. An Australian Free Press Release claimed: "Some of the worst excesses in Australian journalistic history have been evident with this case" and *The Australian* alleged "The defence was a costly sham for Australia" ("Corby truth is out," 2008). A YouTube video featured on her official homepage was headlined "She's in Hell, Oh, poor Schapelle". Further sensationalist reporting included stories about family feuds, feuds between friends, family drug connections and, pre-trial, the possibility of the death penalty.

Despite Surette's (1998, p. 92) contention that certain issues "should not be subject to publication", a number of these elements, including "intimate personal letters, details of home life, photographs taken in private places, photographs stolen from a person's home",

frequently find their way on to the Internet, adding significance to issues of privacy and confidentiality, as well as fuelling the fires of sensationalism.

Finding: While the topic of crime is newsworthy in itself, extreme qualities of the crime or key characters are highlighted and publicised by the media in order to increase the entertainment and sensationalism aspects of the story. Internet reporting has been more guilty than traditional media of this journalistic excess, on which it has capitalised with its additional facilities and global reach. In this category, the Internet has been responsible for a significant shift in the media, crime and Internet dynamic.

6.3.3 Proximity

Masterton (1998) placed proximity second in news criteria, “just edging out conflict by a third decimal point”. Yet this news value may well qualify as the news value victim most affected by the media, crime and Internet nexus, as the global properties of the Internet give journalists around the world access to reports of events not only in their own countries, but also in locations many thousands of miles away. Audience interest in crime has been expanded dramatically by the Internet, over-riding to a large extent the fundamental news value of proximity. Thurman called it a “given” that the Internet made it possible for traditional media to reach an international audience (Thurman, 2007) and Philip Seib (2001, p. 100) suggested “distance may turn out to be meaningless in the era of cybercommunication”.

According to interviews and case studies in this research, proximity as a news value is not as simple as it was in the past. What has appeared is a multi-dimensional phenomenon: localness is still important, but the Internet also brings local events from elsewhere and elevates them to international importance in distant regions. Localness alone does not drive the news agenda, but if events from elsewhere contain other news values they will assume a localness importance for the home audience. This study has already established that proximity as a jurisdictional news value has been largely eroded by the far-reaching parameters of the Internet, a major development since the earlier findings reported by Grabosky & Wilson (1989, p. 18):

With the exception of those news organisations which serve national markets, Australian media tend to focus on events close to home. To be sure, news of bombings and multiple murders tends to receive interstate coverage, but Australian crime news is essentially local.

It can be argued that few news organisations today treat crime news as essentially local. Kim Jordan, News Director ABC Perth, said: “No, it doesn’t have to be close to the audience, not at all, not at all. You’d lead with a major story from overseas if that was deemed to be the most important story of the day.” Yet, later in the same interview, he acknowledged the anomaly of this perspective when he put forward a different point of view, referring to press websites and localism:

You know, competitors are becoming increasingly localised now. Localised journalism on the Web is the thing. Fairfax is writing more local stories. News Ltd’s local thing is really parish style, then you’ll get, say, the West Australian newspapers. They don’t treat it very seriously but their sites are fairly accurate. Our local site is taking a lot of our stories.

This confirmed Simon Johanson’s (*theage.com.au*) earlier observation that one advantage of an online publication was its ability to devote space to local issues, a theory at odds with its simultaneous ability to provide information from all over the world on global issues. Even before the influence of the Internet, although Ericson et al (1991, p. 163) stated: “Histories of journalism have documented that popular-newspaper readers are not interested in foreign-news coverage unless it can be made relevant to their own local knowledge”, they countered this by noticing the amount of space allocated to foreign news stories and events. A respondent in this study whose lateral approach stretched the definition of local news presented a distinct oxymoron:

Local news will always take precedence over interstate and overseas affairs. Given the definition of local news is ‘local news is what local people are talking about’ and clearly if they’re talking about the Iraq war, or they’re talking about 9/11 then they are clearly the most important stories. Generally, we are strongly local (Garry Bailey, *The Mercury* and *The Sunday Tasmanian*).

This may well be the most pragmatic approach to adopt when considering proximity as an element of newsworthiness, as it extends the borders both literally and figuratively. Jewkes (2004, p. 51) also wrote of proximity as representing local and foreign events and stated: “Proximity has both spatial and cultural dynamics”, with spatial proximity referring to “geographical nearness” and cultural proximity referring to its “relevance” to the audience, an element endorsed by Ericson et al (1987, p.140) in relation to the need for simplification in establishing newsworthiness: “Simplification is also constituted by the cultural proximity of an event.” This was not a proposition put forward by the elite interviewees, most of whom took a more literal approach and acknowledged they carried crime stories relating to areas well outside their jurisdiction, mainly because the Internet had familiarized their audiences with the details. It could well be that the notion of proximity needs to be redefined in general, with particular reference to the likely influence of the Internet on its expanded concept.

The Internet has created a diversity of sites so that localness will be delivered and expected on local websites and international coverage expected and delivered by online products that have established themselves as international. Furthermore, when discussing local and international news, the ‘bottom line’ also warrants consideration: When international crime stories make headline news, the publications that sell are those with the most up-to-date or detailed account of that news, whether or not it relates jurisdictionally to readers, listeners or viewers.

For example, one of the three case studies included in this research is totally unconnected to Australia: the disappearance in Portugal of British toddler Madeleine McCann. It has been stated elsewhere in this dissertation that the story had and continues to have several elements of newsworthiness, but its ongoing coverage on a global scale was undoubtedly assured by its widespread coverage on the Internet and satellite television. The story continues to be covered in all sectors of the Australian media, underlining the question posed by Guilfoyle (1999) about the audience’s need for “localism” being a priority in newsworthiness and the alternative emergence of “emotional geography” as an element in the news equation.

This “emotional geography” played a pivotal role in the media coverage afforded the disappearance of UK backpacker Peter Falconio in the Australian outback, Case Study No 2

in this thesis. The account of the incident given by his British girlfriend was reported extensively on the Internet and consequently picked up by traditional media all around the world. While this story also incorporated a number of other newsworthy elements, it gave credence to Craig's statement above about prominence and the way in which the Internet had enlarged the parameters of exposure to draw an ever-increasing number of people into the 'fame' net. Joanne Lees received more than a modicum of fame and/or notoriety because of world-wide publicity, while 'Lyndification' (Toohey, 2007, p. 67) guaranteed the resurrection in the media of Lindy Chamberlain's name and the circumstances of her baby's disappearance. While some of this could well have been generated by traditional media alone, it is hard to dismiss the influence of the Internet in the chain of events. This issue of linkage, demonstrated with the 'Lyndification' of this and other crime stories involving female protagonists, has become increasingly common since the introduction of the Internet, with all its links and comprehensive amount of data. While linkage is not in itself a news value, it is a common tool in crime reporting, one which has been given almost limitless possibilities by the Internet.

Similarly, although the story of demonstration case study 3, Schapelle Corby, was of particular interest to the Australian media and met the proximity criterion in its literal interpretation, it is not unreasonable to attribute at least part of its longevity to the added impetus provided by the Internet. The case was reported widely on a global scale in all the media, for whom perhaps proximity was the least important of the many alternative news values it encompassed. Furthermore, as detailed in the relevant section of Chapter 5, for Australian audiences the Bali location of the case brought 'emotional geography' into play yet again:

Bali added to the exotic and dramatic edges of the Corby story for sure; and it is a place that a lot of Australians have visited and can connect to. The bombings give it some sinister aspect which people are actually attracted to. Schapelle would have been a big story anywhere, but the fact that it is an Asian place is a big part of the equation (Wilson, *Gold Coast Bulletin*).

The same journalist acknowledged that international interest had resulted in his copy being lifted freely by media in other countries and that he had adapted his writing style

accordingly, a circumstance that would not have arisen but for the influence of the Internet. In addition, had proximity been the major consideration in the newsworthiness of the story, it would hardly have been worth the effort of international publications to locate and lift the copy.

Yelvington (cited in Kiss, 2005) pointed out the need for local newspapers to become “hyperlocal community sites” to make a smooth transition to the digital era. At the Ifra summit held in London in September, 2005 he called the Internet “fundamentally a participatory medium” and determined “Content is dominated by things like official events and crime”. This point is another deserving of further research and in today’s context with the reach of the Internet, that statement, too, reflects a shift in the nexus of the media, crime and the Internet. Even if the hyperlocal community sites demonstrate a preference for local issues in their neighbourhood media, these local communities are likely to have some awareness of broader, global issues; and it is a viable supposition that members of these communities wishing to follow international stories are likely to follow them on the Internet and not through their local newspaper. On the other hand, Murray Cox (AAP) pointed out the disadvantage of the hyper-local approach as being an abundance of content covered, with “no valued judgment” taking place about its newsworthiness. A somewhat different perspective on the selection of crime stories was offered by interviewee Andrea Clarke, previously reporting for a national Australian television channel and now working for Reuters News Agency in Washington, USA. She pointed out her agency provided material to 300 broadcasters around the world and obviously took the broad common interests of those clients into account. As already mentioned in Chapter 4 of this thesis, she described not covering “99 percent of the crime stories that are on the Internet”, because they were too local, a perspective at the other end of the proximity continuum.

Finding: Proximity as a news value has been expanded considerably by the influence of the Internet. Although its interpretation in the strictly geographical sense has been largely eroded by the international nature of the medium, its parameters elsewhere have been enlarged by the elements of cultural dynamics and emotional geography.

The Internet has also been responsible for a major shift in the concept and practice of timeliness as a news value.

6.3.4 Timeliness

Turning to timeliness as an element of newsworthiness, Simon Johanson (*theage.com.au*) confirmed the influence of the Internet on its historical perception. He claimed it had “changed the nature of reporting” as well as the way in which stories were now reported and the way in which the audience now defined news stories. Craig (2005) emphasised this when he wrote about technology conditioning audiences “to expect immediate coverage of any breaking event” and contrasted this with the early days of broadcasting. He also stated categorically: “Most notably, the notion of timeliness of news has been completely redefined” (Craig, 2005).

Interviewee Peter McCutcheon (*7.30 Report*) suggested it depended on “the context” of the time, as what might be a major news story on one day might very well not qualify for the same definition on the next. In expressing this point of view, he was underscoring the news values link between timeliness and Surette’s definition of consonance (1998, p. 61).

Several interviewees alluded to the instant updating qualities of the Internet, although some, while acknowledging the technological online superiority in this respect, believed a certain amount of credibility was lost as a direct result. In their haste to update and be first with the news, online reporters have been suspected of publishing first and confirming later – sometimes resulting in a rapid change of online content. Interviewee Dr Sue Turnbull (Dean of Media Studies, Latrobe University) outlined the dichotomy: “The advantage and disadvantage of the Internet is its immediacy – sometimes inaccurate because of the rush to go online”, an opinion echoed by Chris Smyth (Murdoch University) who defined Internet (and subsequent traditional) coverage of Madeleine McCann as “... comments and rumours that were in some cases just fabricated by the reporters, because in some cases they were a bit stuck for copy and they were over there. Outrageous!” A similar observation was made by Boczkowski (2000), Kovach and Rosenstiel (1999) (cited in Chan, Lee, & Pan, 2006, p. 927). Therefore, immediacy might be something of a double-edged sword, presenting yet another impediment in the analysis of news reports.

However, there was no doubting Sterling, Illinois reporter Larry Lough’s claim that it was a definite plus for crime reporting:

Our online edition also allows us an immediacy we don't have with a once-a-day print edition. When four bodies were found in Rock Falls, the news was confirmed first on our Web site. When Sheley was captured in Granite City on Thursday afternoon, many people learned the news first at saukvalley.com (Lough, 2008).

The speed with which news changes was also raised by Deborah Knight (*Ten News*) who made reference to the need to "keep on top of a subject that maybe needs more analysis". She reinforced an aspect highlighted by Katz when he addressed the Freedom Forum Technology Conference for Educators in San Francisco and described the role of the journalist as "to step back from the fray and be a dependable place where people can go to get the truth", adding the Internet could not do the same thing and was "not a good place for analysis" (Kees, 1999). The extent to which analysis has suffered as a result of the Internet is a topic to be investigated at a later stage, but has not been discussed in detail in the context of this research.

However, a question that has arisen is whether the competitive need to be first with the news has overtaken the professional need to keep on top of the story and provide comprehensive reporting on its progress. Or, in the right circumstances, could the two imperatives be comfortably combined? Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) was secure in his conviction that the unique position occupied by his publication enabled it to disregard the immediacy advantage of the Internet.

Well, again, in our market we are the people breaking those stories. I know of no site within Tasmania that has broken a story on crime out of the community, or reported on a court case before we have, or done it with the same effect and reached such a wide audience.

This unusual point of view was not expressed by any other respondents, yet it needs to be considered. The interviewee had previously expressed his desire to get readers "back to the newspaper", and he favoured print over Internet, believing the comprehensive database he had accumulated about his audience kept them loyal and his publication to the fore in their quest for news. Nonetheless, his publication hosted an online website, which published some

articles from the print edition, but at that time had no dedicated staff. An analysis of its Internet audience had not yet been conducted, but occasional correspondence suggested it comprised people interstate and overseas who were seeking news from home. It would be a productive research project to track the Internet progress and results of this particular publication in the future, as a follow-up interview conducted with the same respondent some months later revealed that, while the publication was perhaps now more aware of the Internet and the group was acquiring more Internet interests, these had not changed their notion of journalism itself, but had made it easier in some respects: notably research, feedback and background data. These issues are discussed elsewhere in this chapter.

Nonetheless, senior reporter Neil Mercer (*Sunday Telegraph*) was more conscious of the Internet and the pressure it imposed on immediate filing of stories to meet both deadlines, traditional and Internet:

I think the biggest impact is ... you have to file immediately ... on a daily paper there is now the pressure to be first to file and to be first online, so you now have two deadlines instead of one. There is real competition to be first online with the news, even if it's only three paragraphs ... then more is filed later. Then of course you have to write your story later for the newspaper ... you need to file asap, because there is now competition online to be first on line, so that people can go straight to us. What they're looking for is for News Ltd. to be first.

His was a weekly publication, so the daily deadline was not an issue. In addition, when discussion turned to the topic of inaccuracy as a result of the competition to be first online, he did not agree, citing pre-Internet journalism as evidence:

If you look back, we used to have afternoon newspapers and people worked to very tight deadlines there, from early morning to early afternoon; and often there were only a few minutes to file stuff. So from my point of view as an old reporter, there are always pressures of time and you should be able to cope with those. Yes, it's an added pressure and it wouldn't worry me, but perhaps for some younger reporters, it might put added pressure on them. It should be no excuse for making mistakes.

Nonetheless, certain arms of traditional media are still more constrained than others by deadlines and production demands and, while radio and television are perhaps more able to update crime reports speedily, they cannot provide the comprehensive updated coverage made possible by the links and background data on the Internet. Yet, this evolution in timeliness has not been exploited to its full extent and particularly not by those media publications with online equivalents, as emphasised by Dibeau & Garrison (Salwen, Garrison, & Driscoll, 2005, p. 260): “Critics have pointed out that newspapers are not using new technologies to full potential.” Gunter agreed and addressed the issue of additional opportunities open to online publications and the greater depth of coverage afforded by the online archiving facilities: “They can also be more readily updated than hard copy, hence putting newspapers on the same footing as broadcast media in terms of the rapidity to which they can respond to new developments” (Gunter, 2003, p. 76). According to one interviewee in this research, the concept of deadlines playing a major role in media competition for fast-breaking news is rapidly falling away:

That’s the thing with journalism now. There’s no such thing as waiting. It has to be on the site now and the technical people are getting harangued by us. Why isn’t it out there? I posted it three minutes ago - where is it? Now it’s “forget the accuracy”, although from time to time I’ll say to these people “Did you notice that spelling mistake?” They’ll say “I was in a hurry.” Now that would never happen if you had an hour to go, so they’re working hard and there are senior journalists in these roles now, but there’s never enough time (Jordan, ABC News Perth).

Finding: The demands and potential of the Internet have had a significant impact on timeliness as a news value, from both a positive and negative point of view. Although deadlines have been superseded online by the need to file immediately, the real-time reporting capacity of the Internet has sometimes been achieved at the expense of accuracy. Also, some coverage remains online well beyond its use-by date, rendering it inaccurate, no longer newsworthy, or even illegal as a new trial or appeal looms.

These traditionally defined news values have been superseded to a certain extent by others introduced specifically by the Internet and its technology.

6.4 News values for the new millennium

Some similarity exists between Katz's definition of news values and crime and those presented by Jewkes who, seventeen years later, defined news values as: "... the value judgements that journalists and editors make about the *public appeal* of a story and also whether it is in the *public interest*" (Jewkes, 2004, p. 38). She equated public interest with such factors as "corporate or, more commonly, political pressures" and observed that the pressures served to reveal "ideological values" common to journalists and their audiences. Citing the original Galtung and Ruge (1965/1973) classification already referred to in this paper, she also mentioned the later study by Steve Chibnall in 1977, *Law and Order News* and asserted that both "still broadly hold true" (2004, p. 39). However, she then identified news values that shaped crime news for the new millennium as follows (2004, p. 40):

- Threshold
- Predictability
- Simplification
- Individualism
- Risk
- Sex
- Celebrity or high-status persons
- Proximity
- Violence
- Spectacle or graphic imagery
- Children
- Conservative ideology and political diversion

Not every one of these can be linked with reporting crime on the Internet, but it is worth examining them briefly in this context to determine whether they might have been affected by Internet reporting. Predictability and simplification are represented in slightly different forms on the Internet and would not necessarily have the same degree of significance in newsworthiness. Jewkes suggested predictable stories might be considered newsworthy, as the media could then "plan their coverage in advance" and could "estimate the time that a criminal case will remain in court" (Jewkes, 2004, p. 42). However, it was not considered

that this news value had been markedly changed by the Internet. On the other hand, **simplification**, which “encourages the reader, viewer and listener to suspend their skills of critical interpretation and respond in unanimous accord”, although of significance in the demonstration case studies, might not have been affected by Internet reporting. However, it also accounts for the likelihood of coverage of “immediate events”, because they can be understood very quickly and this aspect relates more closely to the major research question of this study, relating to the influence of the Internet on the reporting of crime and criminal justice in traditional media. It was shown in the demonstration case studies that the Internet was quick to report those particular crimes and, because of its immediacy, was more likely to be in the vanguard of crime reporting.

6.4.1 Threshold

Similarly, threshold, or the degree of importance attributed to a story before it qualifies as newsworthy, would be influenced by the coverage it received on the Internet. Schapelle Corby’s circumstances were a case in point. A number of young Australians had been charged with drug offences in Indonesia, but not many had been accorded the ongoing media attention paid to Schapelle Corby. Some reasons for this are listed elsewhere in this study, but there is at least the possibility that its elevated threshold was and continues to be influenced by reporting on the Internet. A similar conclusion holds true for the two remaining case studies in this paper, Joanne Lees and Madeleine McCann and also accounts for their media longevity. Jewkes made mention of “new thresholds” which “introduce a novel element to a familiar theme and may revive a flagging news story” (Jewkes, 2004, p. 41). Here again, some so-called novel elements have either made their first appearance on the Internet, or been picked up by bloggers or chat rooms. In the case of Schapelle Corby, these would have included the coverage given to her family and their alleged drug connections, the family feud with an erstwhile close friend and Schapelle Corby’s reported meeting in jail with an alleged known drug dealer. Subsequent ‘novel elements’ have included her health, mental state and even religion. Details of all these events remain well documented on the Internet, serving to keep the story alive and give it ‘legs’.

Finding: The Internet has contributed to changing the concepts of simplification and threshold as they relate to crime reporting in the new millennium and to increasing the novel elements necessary to keep a crime story alive.

6.4.2 Individualism

Individualism, too, gains profitability with Internet attention. Crimes which may be difficult for an audience to understand can be made more accessible by focusing on the individual rather than the event and the human interest angle in a story should never be underestimated. Ericson et al (1991, p. 271) made several mentions of this aspect, including citing the personalising or individualising of drug problems through “the tragic circumstances or death of an otherwise respectable youth” and defining (1991, p. 275) “individual pathology” as ascribing deviance to “some disability of the individual”. It does not take too much extrapolation to include in this category infanticides attributed to post partum depression, murder or assault as a result of intoxication, teenage crimes credited to gang wars and peer pressure, or the identification of Schapelle Corby with drugs and an “otherwise respectable youth”. With its optional links and access to almost unlimited background information, the Internet caters to an audience’s need for personalisation or individualisation, which Jewkes linked to the issue of risk and the paucity of attention paid by the media to issues of crime deterrence or avoidance and individual safety. According to Jewkes, “crime stories have become increasingly victim-centred” (2004, p. 47), equating with her definition of individualism and applying absolutely to the three demonstration case studies in this thesis.

6.4.3 Celebrity

Celebrity or high-status is an area in which the Internet has been shown in this research and available literature to have made a considerable impact. However, in addition to the celebrity status of the main character in the crime report, what has also emerged is the added impetus given by endorsement or comment from a recognised celebrity. In the case of Madeleine McCann, pleas from David Beckham and author J K Rowling were among celebrity appeals meriting media coverage; in Schapelle Corby’s case, actor Russell Crowe provided the same support.

Finding: Individualism and celebrity, as news values relating to crime reporting, have been underscored and consolidated by the Internet.

6.4.4 Spectacle or graphic imagery

In the respondents' terminology, this category might be aptly described as the "Oh my God" factor referred to by Deborah Knight (*Ten News*). The concept of graphic imagery cannot be ignored when considering the influence of the Internet on traditional reporting of crime and criminal justice. Space alone allows for publication of more visual content, including photographs and maps, but the graphic details are often far more dramatic and spectacular than anything included in traditional reporting. In its comprehensive feature on Madeleine McCann, *news.com.au* included photographs of the missing toddler and her parents, examples of 'look-alikes' spotted around the world, photographs of the suspect who subsequently won a defamation suit against the media and a detailed map of the resort in Portugal where Madeleine disappeared. Traditional media cannot keep re-printing these details, but they remain permanently and easily accessible on the Internet.

However, a far more disturbing incidence of the latitude available to Internet publishers is the complete Coroner's Report on the body of JonBenet Ramsey, murdered in Boulder, Colorado on December 26, 1996 (ACandyRose, 1998-2004). With the subtitle *A personal view of the Internet subculture surrounding the JonBenet Ramsey murder case*, this site headlines its opening page "Warning – warning – warning. Autopsy Photos – Graphic". (Appendix 8). Included in those photographs, along with transcripts of a number of interviews conducted with the parents and with official representatives, are crime scene images of JonBenet, showing the fatal injuries as well as murder implements and the child's skull. In the book written by JonBenet's parents, *Death of Innocence*, John Ramsey wrote: "Patsy and I could not, would not, and will not ever look at those autopsy photographs." Yet they are there on the Internet, freely available for all to see and a clear example of the use of graphic imagery and personalisation of the victim "the isolation of the person from his relevant social and institutional context" (Hall, 1981, pp 236-237, cited in Ericson et al., 1991, p. 220).

Peter McCutcheon (7.30 *Report*) illustrated this point when he spoke about television offering an opportunity for a “once only” story, while the Internet allowed repeated access. Simon Johanson (*theage.com.au*) referred to the “very different use of pictures” in his online publication, as well as the added information it was possible to include. Moreover, Murray Cox (AAP) acknowledged the impact of the Internet on reporting in traditional media when he credited the online media’s visual coverage of a story with “giving traditional media a reason to get involved with it.”

In the same way, YouTube – a forum for the public’s unedited visual contributions – screens many examples online of imagery with a direct impact on traditional reporting of crime and criminal justice. One such example was the recent YouTube video featuring three teenage girls assaulting a fourth. As a result of the video, the assault was brought to the attention of CNN and the perpetrators were subsequently faced with criminal charges. Barbara Levin of CNN said: “In reporting the story, we have gone to great lengths to explain that these young women face severe consequences for their actions ... because the videotape provides evidence of the nature of the attacks” (Anick, 2008, para. 16).

A case involving MySpace was cited by elite interviewee Kevin Naughton (*The Advertiser* and *Sunday Mail*), who referred to the murder of a young girl some weeks previously.

... as soon as we became aware of what her name was, we found her MySpace website and found she had been interacting with a 48 year old male and his 17 year old son. We then found their website and we were actually able to profile the life of the victim because of what was on her MySpace website and it turned out the police were doing all this at the same time. The police had actually located him in Victoria interstate, the 47 year old man and his son and they’ve since been charged with murder.

In these two instances, the Internet has influenced not only the reporting but also the course of criminal justice. Further evidence of the Internet influencing crime reporting in traditional media was provided by incidents mentioned by Gary Hughes (*The Australian*) and referred to in Chapter 4. He had used YouTube only twice in a journalistic sense:

One was from the blog where I linked to a police video that got on to YouTube of a woman being tasered and it was in the context of a debate that was going on about increased use of tasers. The only other time was in print where, in a story to do with S11 protests in Melbourne and complaints against police of their violence, there was a clip that had been put on YouTube from one of the demonstrations and I mentioned it.

The key players in the demonstration case studies are featured in YouTube clips, as well as on many other Internet sites offering spectacle or graphic imagery not available in traditional media. The many online photographs of Schapelle Corby, for instance, looking out tearfully from behind bars, or crouched down in her cell, cooking food on a small spirit stove, are constant and permanent examples of graphic imagery influencing reporting in online and traditional media.

Finding: The use of spectacle and graphic imagery on the Internet has directly influenced reporting of crime in traditional media.

Of the two remaining values put forward by Jewkes, **Children** constitute a newsworthy element in themselves and would be as significant in reporting in traditional as in online media. **Conservative ideology** and **political diversion** are not applicable to the research question of this thesis. This discussion now moves on from Jewkes' values to others relating specifically to the reporting of crime and criminal justice.

6.5 Deviance

"Deviance refers to the behaviour of a thing or person that strays from the normal" (Ericson et al., 1987, p. 2). This long-standing news value was brought to the fore again by Jong Hyuk Lee (2008), who stated: "The deviance level of an event predicts whether journalists will select it and how prominently they will present it." He referred to Shoemaker's (Jong Hyuk Lee, 2008, p. 41) identification of deviance "as a useful predictor of media coverage" and the observation that audiences are drawn to deviant information because of their desire to identify "threatening factors in their own environment". Perhaps this news value, too, could be an example of the 'Oh my God factor', identified by

interviewee Paula Doneman (*Courier-Mail*) and described in different words by Surette (1998, p. 57): “Today tabloid newspapers and a set of tabloid-style television shows have made sensationalistic, exploitative crime-and-justice news a permanent segment of the media.”

Yet there is still the moral obligation felt by many reporters to play their part in the social process. Deborah Knight (*Ten News*) raised several issues when she explained why she felt it necessary to include crime reporting in overall news coverage:

... crime can affect people individually and the community at large. If there's a particular crime that ... affects individuals and families, then obviously that is a fundamental element of news ... crime trends I think are quite important to be reported on ... it's obviously not practical for people to all go into the courthouse ... the journalist has a pretty important role to give the public the knowledge to find out, if someone commits a crime. how they've been punished or how they've been made accountable ... it's really important to highlight problems within the justice system, because if the reporters weren't there reporting on it, then injustices could simply continue ... it's good to have the knowledge of repercussions of committing crimes as well.

Other interviewees expressed similar opinions. Andrea Clarke (Reuters, Washington), Jim Kelly (*Sunday Times*) and the Broadcast reporter all mentioned people's fascination with crime and Andrea Clarke said her organisation “relied heavily on certain news websites for information” and included in this category online sites of such news outlets as CNN, BBC and NBC, giving clear confirmation of the influence of the Internet on reporting of crime in traditional media. However, she qualified her comments by pointing out that if her organisation didn't have visuals of a crime scene, they would not run the story. Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) referred to the “considerable public benefit” of reporting crime and said: “People need to know whether the sentencing practices of our courts for example are meeting, exceeding, or failing to meet our community expectations.”

Paula Doneman (*Courier-Mail*) said crime was “concerned with personal safety and everything that ripples out from that”, while Peter McCutcheon (*7.30 Report*) considered the “criminal justice system and our system of due civil jurisdiction” produced issues of interest to the public. Yet he said his program didn’t focus on just the specific case, but on “the circumstances that led to this, how big a problem is it and what policy needs to be in place by Government and authorities on children”. Tracy Bowden (*7.30 Report*) pointed to the “well-known people” angle of crime stories and the “good guy, bad guy” element of story-telling.

A crime story on the Internet that had not appeared in a newspaper would probably prompt Neil Mercer (*Sunday Telegraph*) to follow it up and “if somebody had put something up on the Net which was controversial ... something about a high-ranking policeman that was ... defamatory ... or claiming they were corrupt, you would certainly do a story on that.”

Finding: While deviance as a news value continues to drive the coverage of crime stories, it has not been significantly modified, eroded or changed in priority by the influence of the Internet.

However, framing of crime stories and angles is not as clearly interpreted online as it is in traditional media.

6.6 Framing and reader interpretation of information

Framing is the process by which editors and reporters select or omit certain items of information when reporting their stories. A development from McCombs and Shaw’s agenda-setting theory (1972), which can be defined as transferring news items from the media agenda to the public agenda and thus telling the public what to think about, framing attempts to tell them how they should think about it. The concept was also put forward by Goffman (1974), who suggested that individual items of information needed to be gathered and organised in a frame. Entman (1993) stated: “Framing involves selection and salience” (cited in McQuail, 2000, p. 343). Stories may be framed by emphasising certain aspects and downplaying others, employing semiology, depicting visual images likely to control interpretation of the story, or placing stories in such a way on the page that they suggest a link where in reality none exists. Quince (2004) referred to the online journalists’ opinion

that traditional journalists were biased in their reporting and this might be because the process of framing is more difficult on the Internet, which allows the reader much more selectivity in interpreting articles. Stories are better appreciated in chunks with links and, if the testimony of a witness is mentioned in the report, Internet readers want to click their way straight through to the link giving details of that witness, without necessarily having to read a column of print before reaching them. Hence, the shorter, visually enhanced crime reports on the Internet, with most detail now provided in the form of optional access, rather than in the body of the main story.

This, too, created an interesting corollary: These links give Internet readers the option of following any article they read in any direction they choose, taking away the traditional framing role of both the journalist and the editor. For instance, an online reader tracking the story of missing toddler Madeleine McCann might search the Internet using the child's name as keywords, find the web page at *news.com.au* (2008) and choose to follow links relating to and elaborating on the parents, her mother's "secret diary entries", the cost of the search, images of Madeleine look-alikes, police lying about 'evidence', book and film possibilities – and more. Depending on which path the reader takes, an entirely different interpretation of the story will result, with the angle of the story decided by the reader and not the editor of the online publication, casting into doubt the effectiveness of the framing process in Internet reporting.

However, the reader is not making a completely free choice in this instance, as all the links offered on the *news.com.au* site are subsidiary data from the publisher's own archives. Consequently, the editors/publishers are still limiting the reader's choice to a certain extent. This is not the case with some other sites, such as *APBNew.com* which offers a much more open interpretation with its selection of links to outside sources, including "declassified government documents and live police feeds" (Marselas, 1999, p. 16). While this might be seen as exemplifying the public making its own decision on its right to know and interpret the information, in other instances the line is drawn by both legal and editorial constraints:

Where the Internet can certainly further frame diffusion is through its impact on mainstream media. It has become common practice for journalists to use the Internet as a source of their copy ... In the matter of framing,

however, there is little doubt that the Internet is not the most effective medium (Cavanagh, 2007, p. 89).

This accords with findings gleaned from this study, but differs from Harrington's contention that the Internet was "most effective as a means of cultural control" (Harrington, 1998). However, evidence points to the contrary, mainly because the online reader has the option of selecting which links to follow and consequently may select an angle at odds with the reporter's intention. Also, Harrington's means of research was limited and apparently subjective, also throwing his conclusion into doubt. He chose to conduct his research using Internet search words of 'male' and 'female' and then contended that males set the Internet agenda, because "pornography on the Net is generally a male preoccupation" and "males in power have obviously ensured there are no coherent feminist perspectives represented on the Internet". He came to this conclusion because providers of the pages he accessed were "generally males concerned with pornography". However, as anyone can create a web page, it is possible that the lack of feminist perspectives found by Harrington was more the result of women choosing not to put forward their views rather than "males in power" preventing those views from being aired. While the gender issue was not relevant to this thesis, the findings relating to its media framing were too generalised to be accepted for this study.

Framing has been evident in each of the three demonstration case studies in this thesis. In coverage of Madeleine McCann's disappearance, the framing which originally represented her mother Kate McCann as the victim changed to portraying her as a suspect, illustrating in particular the Medea frame, "representing mothers who step out outside what society regards as normal maternal behaviour" (Bainbridge et al., 2008, p. 215). Use of language had its place, too, in headlines such as the *Ottawa Citizen's* "'Beautiful wee girl' abducted as parents dine" (Brown, 2007a). Framing developed along similar lines in coverage of the Joanne Lees case, where her behaviour and uncooperative attitude towards the media resulted in her portrayal changing from victim to suspect. Schapelle Corby's story has been most noticeable for its framing by the Australian media, with descriptions like 'Ganja queen' (Grenada, 2008) or assumptions of innocence "Schapelle's not guilty, set her free" (Bilinga, 2004).

Finding: Framing of crime stories is less effective online than in traditional media, as readers are able to exercise their own selection of angles to follow. Thus the Internet has had a marked influence on media framing in the media, crime and Internet intersection.

6.7 Selection of stories

However, selection of stories to cover remains largely the prerogative of editors and reporters, although many publications and journalists are contracted to news agencies for material and their selection of stories may well be largely confined to options provided by this source. In this regard, a somewhat different perspective on the selection of crime stories was offered by elite interviewee Andrea Clarke, now working for Reuters News Agency in Washington, USA. She said many crime stories that came to hand were not used, because they were not of interest to the agency's foreign clients: "So we can be a lot more selective about what we put out". Williams and Franklin (2007, cited in Franklin, 2008, p. 311) queried whether editors would be tempted to change earlier decisions about a lead story to accommodate a "popular" item on the Internet. Neil Mercer (*Sunday Telegraph*) and Gary Hughes (*The Australian*) were positive about the Internet as a source of stories, but most interviewees in this study rejected this assumption and claimed their selection of stories was not influenced by articles on the Internet (Therese Ryan, *Gloucester Advocate*; Kevin Naughton, *The Advertiser* and *Sunday Mail*); some spoke about the relationship between the different forms of the media (Peter McCutcheon, *7.30 Report*; Simon Johanson, *theage.com.au*; Murray Cox, AAP).

Nevertheless, analysis of coverage in the three demonstration case studies suggested that traditional media were quick to carry stories given prominence on the Internet. Evidence of this was found in the way publications in areas far removed from the crime scenes reported developments relating to Madeleine McCann, Joanne Lees and Schapelle Corby.

Finding: Despite the assertion by a number of respondents that their story selection was not influenced by coverage on the Internet, there was sufficient evidence to the contrary in other responses and in the demonstration case studies to suggest the Internet does have an influence on selection of stories in the reporting of crime and

criminal justice in traditional media. This would underline the finding made elsewhere in this thesis that certain traditional journalists are still reluctant to acknowledge and embrace the positive resources of the Internet, viewing it with uncertainty and suspicion.

6.8 Gatekeeping

A discussion on the selection of news items and angles would not be complete without reference to the selection filters known as gatekeeping, a term that came into being in 1950 (Surette, 1998, p. 63) and defined by McQuail:

The term gatekeeping has been widely used as a metaphor to describe the process by which selections are made in media work, especially decisions whether or not to admit a particular news report to pass through the ‘gates’ of a news medium into the news channels (White, 1950; Shoemaker, 1991, cited in McQuail, 2000, p. 276).

This section of this chapter will discuss various ways in which these selections are made at different levels of the reporting hierarchy, taking into account: “In choosing among possible stories, journalists, sources, and consumers reveal the cultural templates of their understanding ... When knowledge moves, it is always through a process of constructive interpretation” (Ericson et al., 1991, p. 356).

Surette wrote of “checkpoints” in the news production cycle, “where individuals select, mold, and pass on crime news candidates”, (1998, p. 63) and only those stories that make it to the final checkpoints are selected for publication. His illustration showed nine points in this selection process, beginning with crime in society (the perpetration of the crime itself), moving to its recognition and reporting by the victim, thus becoming crimes known to the police, subsequently passing on from the police public information officer to the crime reporter before finding its way to the crime news pool, to be edited by the news producer or editor, then printed or broadcast as crime news, finally reaching the audience as “news of crime in society”. The cycle is a linear one, subject at each stage to subjective filtering before onward transmission, exemplifying the gatekeeping principle and the story’s probable diminution in objectivity along the way.

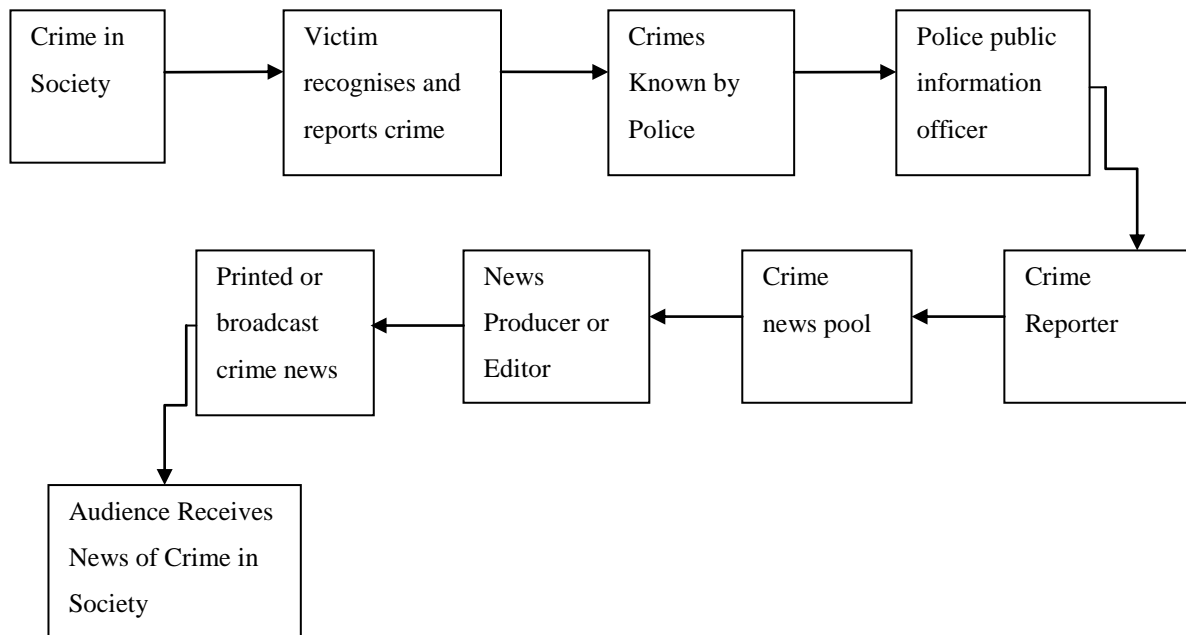


Figure 6.1 . Checkpoints in the story selection process (Surette, 1998b, p. 63).

The illustration demonstrates that at each stage the selection of stories becomes smaller, in an ongoing series of gatekeeping requirements that must be met. In particular, with the victim’s reporting of crime such a vital step in the process, it can be seen that those crimes not recognised or reported to the authorities fail to reach the “gate” and the news channels.

Singer’s (1998) assumption that the journalist’s role of gatekeeper is the one most under threat by the Internet merits discussion. White (1950, cited in Singer, 1998) was the first reported person to relate this principle directly to reporters, as a result of examining the news items selected by a wire service editor of a small newspaper. Stories were selected on the basis that “the community shall hear as a fact only those events which the newsman, as the representative of his cultures believes to be true”. In this way, “as a representative of his cultures”, the journalist was acting as his own gatekeeper – “self-proclaimed” (Deuze et al., 2007), a situation Singer claimed had changed radically with the advent of the worldwide capacity of the web. “It would seem that the notion of gatekeeping goes right out the window with the Internet” (Singer, 1998, p. 3).

Moreover, BBC Director of Global News Richard Sambrook (2006, cited in Allan, 2006, p. 169) spoke of news organisations no longer owning the news, again attributing this to the

influence of the Internet: “Thanks to the Internet, the role of media gatekeeper has gone. Information has broken free and topdown control is slipping inexorably away.” However, Singer put forward the counter-suggestion that this development was not entirely welcomed by the audience and referred to the “indication that online users ... may actually be looking for some sort of gate keeper” (Singer, 1998, p. 4). Interviewed for this study, Kim Jordan (ABC) agreed: “I personally have a view that citizen journalism was a nice concept, but the citizens themselves are too busy to read all the crap that’s out there and they actually need gatekeepers to whack it into some sort of shape. They’d be journalists.”

It can be argued that this online gatekeeper already exists. Imfeld and Scott (2005, p. 208) cited the example of discussion boards and the person ‘behind the curtain’, who operated as a gatekeeper. They continued by asserting that these gatekeepers must be able to promote “useful interactivity”, which could mean the imposition of rules and “socially acceptable behaviour” (Imfeld & Scott, 2005b, p. 209). This would bear out the premise that the gatekeeping concept is as alive on the Internet as it is in traditional media and whoever is the gatekeeper wields control over selection of content. “Gatekeepers are the guardians and the benefactors of structure” (Imfeld & Scott, 2005, p. 209), a concept applying to the reporting of crime and criminal justice as much as to general news coverage.

However, although the gatekeeping discussed so far has been of the sort consciously applied at various levels of the reporting routine, an important factor to emerge from the interviewees’ responses was the lack of awareness and acknowledgment of the ‘grey area’: that zone between deliberate and subconscious or routine gatekeeping, particularly in the context of traditional publications. Cassidy’s 2006 study on gatekeeping also concluded: “Routine level gatekeeping forces in this study were found to exert more influence than individual gatekeeping forces on the professional role conceptions of print and online newspaper journalists” (Cassidy, 2006, p. 12).

Although most respondents questioned did not refer to gatekeeping directly, their accounts of their news selection process demonstrated an element of gatekeeping, whether or not they realised it. Talking about public interest, for example, Graeme Butler (*Today Tonight*) said: “You have to be mindful that it’s going to be something that our audience is interested in.”

Yet the interest of the audience was in all probability decided by a combination of selective market research and editorial decision. Comments from other interviewees, included in their responses to questions on such topics as news selection or newsworthiness, revealed the same indirect practice of gate-keeping: “Sometimes the community has to be told”, (Murray Cox, AAP), “interesting to a significant number of people”, (Peter Foley, *Ipswich Queensland Times*), “my first priority would be to the region, but ... once I’ve satisfied the newspaper’s demands, I’ll look at a broader appeal”, “I’m governed by editors here”, (Tony Wilson, *Courier-Mail*) “It’s not my decision, it’s made by others, then I’m assigned the story”, (Tracy Bowden, *7.30 Report*), “A little bit subjective ... stories about defence I rate a lot higher than most”, (John Knox, *97.3FM*), “You can’t possibly get it all in the paper, or indeed on the website. You’ve got to consider how long people have got to devote to reading it each day”, (Garry Bailey, *The Mercury* and *The Sunday Tasmanian*). Each of these comments, although not offered in the context of gatekeeping per se, reinforces the notion of indirect, unconscious gatekeeping in the course of everyday news production. From a television perspective, visuals also influence the selection: “... if it’s got really great pictures, that also can make it into a story” (Deborah Knight, *Ten News*).

However, of greater concern to the respondents was the perceived lack of gatekeeping on the Internet and the consequent disadvantages of not being able to screen readers’ comments before they appeared on the site, underlining the general consensus that blogs, or interactive comment from the public, were perceived to be free from the presence of a gatekeeper. The anomaly was that, although online publications sought this interaction from their audiences and saw it as both incentive to readers and feedback on their own news coverage, they had difficulty dealing with the unrestricted access it offered. Chung (2007, cited in Deuze et al., 2007, p. 324) referred to the same conflict and when she wrote: “... initiatives to implement interactive features are increasing – but journalists find it difficult to navigate the challenges this brings to established notions of professional identity and gatekeeping”.

Senior reporter Neil Mercer (*Sunday Telegraph*) explained:

We are seeking to get readers’ comments ... we’re looking for people to get on our site and interact with us ... one of the problems is people can say whatever they like and a lot of the time it’s not screened ... that’s a problem for newspapers down the track.

Yet the problem is not insurmountable. Even in this seemingly unrestricted area, an element of gatekeeping is not only desirable, but possible. Kim Jordan (ABC Perth) was adamant that his organisation's news website was not open to unscreened comment and said control was exercised "in a minor way".

We invite on certain parts of our website people to contribute and those contributions are gatewayed. Not here, not here. I mean our state-based pages are purely news. We're not inviting people to blog. I must say the blogosphere is like space filled with space junk at the moment.

Furthermore, gatekeeping is also exercised by some online sites through the practice of inviting readers' comments on selected articles only. The crime reporting aspect of this form of gatekeeping was exemplified on *news.com.au* on September 19, 2008. Included in news coverage on that date were articles on the Wall Street surge, compensation awarded to pedophile Dennis Ferguson, attempted child abductions and a double shooting. While the public were invited to submit comments on the Wall Street story, they were not given this opportunity with the crime articles. Moreover, even where comments were permitted, they were not immediately posted on the webpage. Contributors were asked to divulge their name, email address and telephone number, with the proviso that they "would be contacted" if their comment was to be posted. Publication guidelines listed terms and conditions that included the collection of personal details about the sender. This method of dealing with interactivity showed both selectivity and possible editing, two more forms of gatekeeping which, in this instance, applied particularly to crime reporting. However, it must be acknowledged that the website was accessed for this purpose on only that one day.

In the same way, a UK study exploring the integration of user-generated content into national newspaper websites found that, although "most of the newspaper blogs allowed comments ... they were almost all vetted by journalists before publication" (Hermida & Thurman, 2008, p. 347). Only *Guardian.co.uk* permitted comments to be posted directly by the sender, but registration and certain details were also required. Additionally, in a study carried out in nine countries, David Domingo and a team of researchers found that online readers were offered "only limited opportunities for engagement with the editorial process"

and their contributions were limited to debating current events (Domingo et al, cited in Franklin, 2008, p. 311).

Thus, even in the arena of public comment, the gatekeeping concept is alive and well on the Internet and there is little doubt that online editors in the future are likely to become more circumspect in the opinions they permit to appear on their pages. The ultimate example of this aspect of gatekeeping was described in Case Study 1, Madeleine McCann, in Chapter 5 of this thesis. As the publicity grew with the unsolved mystery of the child's disappearance, traditional mainstream and online media received unprecedented amounts of audience comment and a proliferation of blogs appeared, both for and against parents Gerry and Kate McCann. However, when the tide of public opinion turned vociferously against the McCanns, the "hate campaign on the Internet" (Gill, 2007) was such that the editor of their local newspaper, the *Leicester Mercury*, closed the online discussion forum altogether.

Editorial involvement is a vital element in the gatekeeping and news selection process. Tony Wilson (*Courier-Mail*) has already been quoted on this topic and senior reporter Neil Mercer (*Sunday Telegraph*) was even more explicit: "What I might think is news and a really good story, my editor might think is a load of crap and not run it ... that's happened for decades and decades." Referring specifically to reporting of crime and criminal justice, Grabosky and Wilson (1989, p. 15) wrote of editors finding "incidents involving members of marginal groups in society" less likely to be newsworthy and of editorial involvement and intervention, including intrusion:

There is little doubt in many respects that reality is obscured and distorted by these filters. The ideal of objectivity is honoured in the breach; the values and views embraced by editors are by no means confined to the editorial page (Grabosky & Wilson, 1989, p. 24).

They found reporters they interviewed spoke of editors who preferred their copy to be "angled in a certain way" or even "turned on the egg beater" and over-dramatised a story to increase its newsworthiness. However, they also included the point made by a Melbourne reporter that "editors can have a better perspective on the day's events" (Grabosky & Wilson, 1989, p. 19).

Craig (2005) extended this concept to the Internet when he quoted in “The 10 Commandments of News” (Hamilton & Krinsky, cited in Craig, 2005, p. 218) two rules he called “a source of trouble for online journalists”:

“4. Thou shalt not suppress or omit opinion with which one disagrees.

5. Thou shalt not show favouritism or personal bias in reporting or writing.”

His reason for singling out online journalists was the anomaly of the previously mentioned unrestricted ability to create a Web page: “good for the sake of democracy”, but “... also creates the impression ... that the Web is full of nothing but slanted news”. His caveat was that online reporters should be “extra careful to include both sides of the issue fairly”, a journalism *sine qua non* for all reputable publications, traditional or online. “The notions of objectivity, balance, and fairness embody the assumption that journalists are neutral and non-partisan agents who base decisions on uniform technical criteria ... preventing the intrusion of personal bias ... including opposing viewpoints ... ” (Ericson et al., 1987, p. 105).

Bias is often particularly noticeable in crime reporting, where the way in which a reporter angles the story can determine the reader’s perception of the event, perpetrator, or victim. This was demonstrated with reporting of Schapelle Corby’s arrest and imprisonment, Case Study No. 3 in this dissertation. Civil Liberties Australia (CLA) accused the media of undermining her and said: “Some of the worst excesses in Australian journalistic history have been evident with this case” (“On trial: Australian media for undermining Schapelle”, 2008). Furthermore, after reports on ABC’s *Lateline*, the ABC issued a statement acknowledging some statements were “in breach of 5.2.2 of our Editorial Policies (Wilson, 2008). However, bias in favour of Schapelle Corby was evident in Tony Wilson’s review of Schapelle Corby’s book “My Story”, published in 2006: “...you understand that Schapelle is still this wonderful woman, caught up in a nightmare, something she does not understand” (Wilson, 2006).

These examples were not initiated online, but were present in both forms of the media, so it is unlikely that any influence in this regard, other than increased and wider coverage, can be attributed to the Internet. However, what is less likely to surface in traditional media is “news on the cheap” (Kurtz, 2002, cited in Allan, 2006, p. 178). This description referred to Google News selected by “spiders” crawling through news sites, unaided by human reasoning or discrimination:

To find information on the hundreds of millions of Web pages that exist, a search engine employs special software robots, called **spiders**, to build lists of the words found on Web sites. When a spider is building its lists, the process is called **Web crawling**.

<http://computer.howstuffworks.com/search-engine1.htm>

This practice of using spiders to search out crime stories is exemplified on the website *crimespider.com*:

Crime Spider searches for the best crime and law enforcement sites, then categorises topics ... criminalistics, forensic anthropology, FBI, unsolved murders, homicide investigation techniques, child abuse, domestic violence, the death penalty, terrorism, criminal justice, law and courts, behavioral profiling, gang violence, juvenile crime, missing persons, serial killers or mass murderers, criminals, police, crime scene photos ...
(*crimespider.com*)

In addition, search engines employ another level of gatekeeping, by restricting their links:

... Google News and Yahoo! News strive to restrict their links only to established news organisations, seeing in them an intrinsic value which it does not recognise in reports from citizen journalists or bloggers. This ‘gate-keeping’ strategy ... signals that ‘news’ is being routinely defined in accordance with the professional dictates of (predominantly corporate) journalism (Allan, 2006, p. 179).

It must also be borne in mind that linking can be both internal (to other texts within the text’s domain) or external (to texts located elsewhere on the Internet) (Deuze, 2003). Of the two options, internal linking (such as the *news.com.au* example outlined previously) exacerbates the gatekeeping concept, as the reader is limited to data the publisher wishes him to receive.

Is the consensus then that audiences, like some elite interviewees, are increasingly attaching greater credibility to websites, including those reporting specifically on crime,

hosted by reliable traditional media outlets, complete with their traditional checks and balances? “Matt Drudge, the pseudonymous online scribe who boasts of having no editor, also has no credibility” (Singer, 1998, p. 5). Singer also cited the allied example of screening certain online content from children, which is an issue undoubtedly relating to crime and the research questions of this survey. The explicit and sometimes no-holds-barred coverage available on some crime websites would belie the restraining supervision of any gate-keeper, with the decision about what content is appropriate or acceptable often left to the technologically advanced and mechanical filtering option, parental control monitoring. This is accomplished through special software programs helping parents control their children’s use of the Internet and restricting the sites to which they have access.

Then, in the context of the reporting of crime and criminal justice, another level of gate-keeping becomes apparent: the police and law enforcement authorities, who ultimately decide which information they will pass on to the media for publicity and/or investigation. Once a crime has been reported, theirs is the first level of the gate-keeping process and their own agendas or justice requirements dictate the timing and detail of the incidents they share with the media. Many crime and police reporters rely to a large extent on their police sources for information and, perhaps unwittingly, endorse the official representation of the events in their coverage. This point of view was put forward by Surette (1998, p. 63), who acknowledged crime reporters as “key” gatekeepers in crime news coverage, but suggested their “low status in news media organizations and lack of alternative sources of information” meant “they come to reflect official police positions and hold values similar to the police concerning crime”. Because their newsgathering processes did not accord with the commonly accepted definition, they needed to exercise care in cultivating dependable police sources.

Crime reporters don’t gather news in the manner commonly assumed, by looking for it among victims and criminals one crime at a time; rather, they receive information from regular law enforcement sources with whom they share values and on who they are professionally dependent (Surette, 1998, p. 63).

Cassidy (2008, p 2) called the use of official sources “one of the most well documented routines” and “the ones used most frequently in news reports”, because “the power structure of society is perceived by journalists to be the legitimate site for gathering news” (Tuchman, cited in Cassidy, 2008). It seems more likely that a crime reporter would go first to the authorities for newsworthy stories, before following possible leads from uncertain sources regarding crimes that may well not have been reported. In this way, public information officers, too, have emerged as another level of key gate-keepers, creating one more barrier in the dissemination of news and providing a “formal link between a criminal justice organization and the mass media” (Surette, 1998, p. 63).

Also to be considered is the role of gatekeeping in the “journalist’s belief in their social-control impact” (Ericson et al., 1987, p. 67), an aspect closely allied to the reporting of crime and criminal justice. This is demonstrated by their decision not to report certain stories, thus taking into account the influence their presence could have on the situation. The same authors described the gatekeeping principles of the “ratings game,” with a journalist stating: “They will put on whatever improves their ratings.” When it came to deciding the newsworthiness of one crime story over another, the gatekeeping was accomplished by evaluating a number of factors, including “the size of the crime, the nature of the crime, the audacity of the crime, the vitality of the crime ... Only the best murder cases make the six o’clock news” (Ericson et al., 1987, p. 170). Thus, even though a crime story might meet all the criteria of newsworthiness, it might still be omitted before the final stages of the gatekeeping checkpoints illustrated above (Surette, 1998, p. 65).

Finding: Gatekeeping - while not a news value in itself – is instrumental in news selection. In traditional media it is exercised at several levels of the news production process, with input from outside sources such as police and public information officials. Editorial intervention represents the definitive screening process in traditional publications and is likely to be exercised more in future reporting on the Internet, for both general news and crime reporting. There is little evidence of the Internet having any major influence on traditional media in this regard. In fact, it is more likely that prevailing gatekeeping concepts in traditional media will find their way on to the Internet, although, because of smaller staff complements, with fewer gatekeepers.

Despite the fact that anyone can put anything on the Internet at any time, news organisations are still grappling with their gatekeeping role on their websites. Their approaches vary from total control, as with the ABC Perth's refusal to allow blogs, through to live screening of selected comments on some established news sites like *news.com.au*.

6.9 Verification and accuracy

Despite the credibility problems ascribed by some correspondents to information on the Internet, it also offers a means of checking stories for publication in traditional media, again contributing to the eventual reporting process. However, its plethora of online resources, including libraries, web logs and links to experts or official websites for selected topics must be viewed in the light of their accuracy component. Journalists acknowledge the ease and speed of communication by email, as opposed to the often slower and more complicated process of telephone or fax. Nonetheless, problems accompany this new technology, specifically in the readiness and ability to use the Internet to its fullest advantage, as well as the questionable reliability of online sources. Gunter wrote of the "significant problems associated with judging the quality of information provided by different Web sites" (Schlossberg, 1999, cited in Gunter, 2003, p. 99). Furthermore, despite the confidence expressed by Garry Bailey (*The Mercury* and *The Sunday Tasmanian*) in Government and other authoritative websites, errors have "frequently" been found in Government databases (Garrison, 1996; Landau, 1994; cited in Gunter, 2003, p. 99). The exception to the inaccuracy accusations would be *APBnews.com*, the successful crime news website credited with being a "journalistic pioneer" (Cunningham, 2000) and winner of the Society of Professional Journalists' first award for Online Journalism Deadline Reporting (Marselas, 1999).

Interviewees in this study were almost unanimous in expressing their reservations about the accuracy of the Internet. Some comments are quoted in the previous section on Technology and others include Gail Phillips' (Murdoch University) finding "if I want to be able to use something on the basis of being authoritative, it's got to come from a good brand". She identified examples as *The Guardian* and *theage.com.au*, "because if it turns out

that there's an error, it's something that will be rectified and I can basically mention the fact that it's from a source that got it wrong - something that happens all the time".

Similarly, journalists gave various versions of the same opinion (Neil Mercer, *Sunday Telegraph*; Tracy Bowden, *7.30 Report*; Jim Kelly, *Sunday Times*; Paula Doneman, *Courier-Mail*). Murray Cox (AAP) referred to the "slightly utopian view emerging in certain new media communities of people who are very enthusiastic about what the Internet can do and this is the whole mantra now that the web is about authenticity" and Simon Johanson (*theage.com.au*), himself the editor of an online publication, admitted to doubts about the accuracy of the medium, professing he was "wary of referring to individual news material published on the Internet again" and said his publication tended not to source material from crime websites.

Inaccurate reports would also play a meaningful part in determining the reader's understanding and analysis of a story, especially a crime report. This was the case with the McCanns, where unsubstantiated comments created a self-generating onslaught of rumours and accusations (Wetsch, 1995-2006). Yet, when it was officially announced the parents were no longer suspects in the case, it was difficult to find a single online apology or retraction. In that instance, the public right to know was not extended to the public right to know the truth, an online equivalent of the earlier traditional press treatment of Lindy Chamberlain. All the accusations levelled by online publications at the parents are still present on the Internet and consequently still accessible to influence future reporting in traditional media. Similar unsubstantiated comments defined public opinion and media reporting on Joanne Lees's story, while coverage of Schapelle Corby's case was distinguished by the polarisation of opinion and the difficulty in separating the truth from speculation.

Nonetheless, retractions and apologies do occur. Most notable amongst the well-documented instances of online inaccuracy was the retraction by the *Wall Street Journal* of its story that a White House employee had given testimony about witnessing President Clinton and Monica Lewinsky alone in the Oval Office. The fact was that the testimony had been exactly contrary to that report (Lule, 1998). Several months later, the Associated Press

made a similar error by publishing an erroneous obituary for Bob Hope (Lule, 1998). In answer to the major research question of this study, the interviewees have indicated that the issue of accuracy relating to the three-way intersection of media, crime and the Internet has been compromised by reporting on the Internet. However, a parallel development has been a reinforced need on the part of these traditional journalists to check their information, from whatever source.

In defence of the Internet, Tom Brew, deputy director of *msnbc.com*, (cited in Zurawik, 2007) believed the reporting on that website offered a “new level of authenticity”, saying “It’s easy to be cynical about new technology”. Cynicism in a different context was also expressed by Paula Doneman (*Courier-Mail*) and Murray Cox (AAP). The former stated: “I don’t think credibility is a big issue for most members of the public”, a point of view not raised by any other interviewee and not substantiated by any other reference data consulted to date; the latter considered the average man in the street cared very little for serious, newsworthy stories.

Finding: Traditional journalists and examples from literature attest to the inconsistency of some Internet sites and a general preference is expressed for “reliable” websites, usually identified as those hosted by traditional publications online. This reinforces the tendency found in traditional journalists interviewed to trust “their own” rather than the still untested Internet sources.

6.10 Audiences

Today, traditional and online media have contributed to “a society in which we are inundated with so much information that it is difficult to assess what specific impacts media have on our ideas and attitudes” (Dowler, Fleming, & Muzzatti, 2006). It is equally difficult to assess the specific impacts of online and traditional media, particularly as, while each sector has its own devotees, a sizeable percentage of readers might look for their news in both forms of the media. Craig (2005, p. 3) put the move by both the public and news outlets to access the Internet down to two “basic human needs – to gain understanding in a time of tragedy and to share that information”. Figures released in the United States at the end of 2004 estimated that “between 42 percent and 59 percent of Americans over 18 – 92 million

to 128 million people – had gone online for news at some point” (Journalism.org, 2005) and, significantly, online news is attracting younger members of the population. This is just one of the many definite differences existing between the two audiences, whether for general news or specific reporting of crime and criminal justice.

Reasons for these differences are many and varied and Gunter (2003, p. 53) believed the difference was not only in the nature of the online medium itself, but in the way “consumers engage with the Internet”. This would be applicable to the reporting of crime and criminal justice, where it becomes important for justice to be “seen to be done” and public communication such as engaging with the Internet, or writing to the editor, is an integral part of this process. “News consumers are participants in the news process” (Ericson, 1991, cited in Ericson et al., 1991c, p. 17) and also “interactive with the news process ... because they need to stay on top of how they are being represented in the news ...” (Ericson, 1991, cited in Ericson et al., 1991c, p. 17). Along with their two views of the public, as spectators watching from the sidelines with no input or influence in the process, or as participants actively engaging in it, they sounded a warning: “There is a need to classify particular publics within the knowledge structure of society and to delineate differences among them in the making and use of news” (Ericson et al., 1991, p. 19), as opposed to the “assumption of audience homogeneity” (Doyle, 2006, p. 872). When examining interviewees’ responses regarding the differences in the publics of online and mainstream media and to what degree these were taken into account “in the making and use of news”, the first finding to emerge was that respondents in this study were clearly divided in their opinions.

The range of audience differences put forward by the above scholars and authors gives substance to the undeniable existence of such dissimilarities. Yet only some respondents acknowledged differences between the two audiences and were aware that their online news coverage needed to accommodate these differences. Simon Johanson (*theage.com.au*) experienced in mainstream and online media, spoke about the newspaper being “no longer the place where people go for breaking news” and said the news values used by his online publication were quite different from those of the paper. His online audience was particularly interested in “the local story that might not be so important to the newspaper”, they had the

ability to “pick and choose a lot more”. He believed the online version of a story had fewer references to different sources and was much more factually based:

We’ll often have a lot of smaller stories aggregated in the same story and within the structure of the same story, inherently factually based, but then again we carry other crime reporting where we do longer, very detailed multi-media coverage (Johanson, *theage.com.au*).

He gave the example of the gangland shooting in Melbourne where his publication presented a detailed piece with audio, video and a different set of pictures from those carried in the print edition. Other interviewees, while acknowledging an undefined difference, had not yet taken steps to address the needs of their online audience (Garry Bailey, *The Mercury* and *The Sunday Tasmanian*: “the audience should be “slightly different” but “we haven’t yet analysed the audience”). Differences cited ranged from describing the online audience as “younger” (Neil Mercer, *Sunday Telegraph*; Jim Kelly, *Sunday Times*) to finding online stories needed a “degree of interest to everyone in Australia” (Peter McCutcheon, *7.30 Report*). Ericson et al. (1987, p. 194), addressing the topic of deviance and audience relevance, had already found from previous research that journalists did not base their decisions on any specific knowledge of the public’s interests. When they asked their respondents how they knew a story would interest their audience, they received four kinds of responses: the interviewee just “knew”, had spoken to other journalists or friends, followed the lead of other sources and considered feedback on stories already covered. However, they also drew a more insightful conclusion, that journalists “take an elitist view of their role as knowledge producers” (1987, p. 196). This was hinted at by only one of the respondents in this study, Simon Johanson (*theage.com.au*), who spoke of a “responsible and high profile news organization like ourselves” having to act “more responsibly”. Furthermore, the scepticism and distrust shown towards the Internet by some traditional respondents suggested they held an elitist view, albeit a subconscious one, of their own role in the media, crime and Internet equation.

Speakers at a workshop in San Antonio postulated that online contributions had succeeded “because readers crave information that newspapers consider too unsophisticated to cover, from high school sports to obituaries” and that “readers have grown increasingly sophisticated

about what they expect from the media” (Dorsett, 2005). However, in their State of the News Print Media Report 2007, the Australian Press Council reported that there appeared to be “no significant diminution of public interest in buying and reading national and metropolitan newspapers” in 2006 (Herman, 2007). In the three demonstration case studies detailed in Chapter 5, evidence was found of audience interest in both online and traditional media. Comments appeared to have been contributed by all age groups, with no discernible differences in socio-economic identification, with the most significant finding being the profusion of online contributions, demonstrating the interest shown by the audience in participating in the story and expressing their opinion.

This confirmed findings made by Singer (1998, p. 2) in her research into the changes being experienced by journalists:

Interactive media blur the lines between the receivers and senders of a mediated message. The use of a medium such as the Internet obviously involves not only active participation in the traditional audience roles of selecting and processing media messages, but active participation in creating them as well.

Finding: As research progresses, differences between * of online and traditional media become more apparent, not only in terms of age and socio-economic status, but also in interests and reasons for accessing news. Research has revealed an increasing number of people turning to the Internet for immediate updating of crime stories.

If the audiences of the different media are acknowledged as being different, then so, too, should be the reporting of news for those audiences, the direction now taken by this chapter.

6.11 Difference in coverage

Given their mostly negative opinions, it is not surprising that few interviewees said their publications had gone so far as to provide separate coverage of stories for their online audience, preferring to include “shovelware” – essentially ‘shoveling’ text from a print edition to an online edition with little regard for how additional Web content might enrich

stories for readers (Alves, 2001; Craig, 2005; Nguyen, 2008), although: “Online journalism potentially means more than shoveling legacy news stories into cyberspace”(Massey & Levy, 1999). These authors identified two dimensions of online journalism: “... content interactivity ... the degree to which journalists technologically empower consumers over content ... (and) interpersonal interactivity, or the extent to which news audiences can have computer-mediated conversations ...”. Dimitrova and Neznanski (2006, p. 253) proposed a three-stage conceptual model of online journalism, “representing the evolution of online journalistic practice”. The model showed Shovelware as Stage 1, augmented to Stage 2 incorporating text, pictures and hyperlink, then demonstrating convergence in Stage 3 taking in audio, video, animations and user feedback. Stage 4, the future was left blank at this stage.

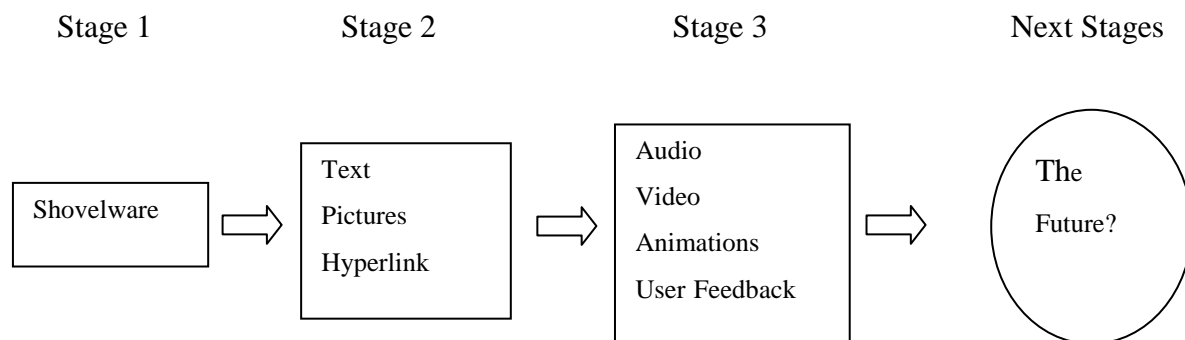


Figure 6.2 The “evolution of online journalistic practice”(Dimitrova & Neznanski, 2006, p. 252).”

As mentioned previously, many respondents questioned for this study proved to be still in the Shovelware stage with their websites, simply recycling or transferring articles ‘as is’ from their traditional news outlets to their online sites. This would include their coverage of crime and criminal justice. Garrison (2005, cited in Dimitrova & Neznanski, 2006, p. 253) described the process as “easy and cheap”, pointing out that it did not take fullest advantage of all the possibilities of the Web. Some respondents’ online news sites are in Stage 2, where they have provided hyperlinks, giving their audience access to background or archived information. An example of this is *news.com.au*, where articles offer links to related items from their own archives. Stage 3 is represented in this study by *theage.com.au*, using convergence of pictures, text, links and sound to augment coverage. *Couriermail.com.au* is the online edition of *The*

Courier-Mail, part of the News Ltd organisation, represented by *news.com.au*. It offers hyperlinks, video selections and archives.

Reasons why more online publications have not yet proceeded beyond the first or second stages of this model are likely to include tight budgets and/or small staff complements, but essentially these online news sites are offering their readers nothing more than a replica of the content of their daily newspaper, with perhaps the limited option of linking to further online resources for more detailed coverage. At the same time, it must be acknowledged that a certain body of readers is not looking for a plethora of detail from which to pick and choose, but seeks only the main points of the news from one Internet source, perhaps checking later for updates.

The particular classification of an online news audience for this study is larger than those defined more than 20 years ago by William Casey (1986) *Washington Post* director of computer assisted reporting (cited in Salwen, et al., 2005, p. 15). At that time, he listed the two main groups as print readers wanting to read newspapers they did not normally see and other readers who wanted to source information on a particular topic. Casey qualified these definitions with the comment: "If this was the future model for online newspapers, the medium would have little to look forward to" (cited in Salwen, et al., 2005). So, the question must be asked: What is the classification of an online news audience now? Referring to crime news, criminologist Professor Paul Wilson said online audiences were of two types:

...those who are purely voyeuristic and those who genuinely want to get more information about a case in order to come to some conclusion about it. One thing is for sure – just like those who look for intelligent discussions on the Iraq war, there is an online audience out there who want to get a different and more sophisticated view of the crime (and justice) system than you get from the mainstream media. ...The problem is that the bloggers and reports on the web for crime stories are not yet as numerous, sophisticated or as insightful as they are for political and other stories like the Iraq war (Wilson, 2008 personal communication).

In 2003, Deuze (p. 204) credited the first decade of online journalism with not only seeing the opening and closing of “thousands of mainstream newsmedia” websites, but also accounting for “millions of individual users and special interest groups” using the Internet as an individual news outlet. Addressing the functional difference of online journalism, Deuze pinpointed certain factors:

The online journalist has to make decisions as to which media format or formats best convey a certain story (multimediality), consider options for the public to respond, interact or even customize certain stories (interactivity), and think about ways to connect the story to other stories, archives, resources and so forth through hyperlinks (hypertextuality) (Deuze, 2003, p. 206).

He wrote, too, about the “new ‘breed’ of online news people” producing material primarily for online consumption and went on to describe four specific types of online journalism. Brief extracts from these are mentioned here, in order to provide some context for the discussion to follow.

Mainstream news sites: Some editorial content and “minimal, filtered or moderated form of participatory communication” (Schultz, 1999; Jankowski and Van Selm, 2000; Kenney et al., 2000, cited in Deuze, 2003, p. 208). Content might be produced originally for the Internet, or “aggregated” from other sources. Reporting of crime and criminal justice is represented in this category by such sites as *Court TV*, now *truTV.com*

Index and category sites: Links offered by online journalists to “existing news sites elsewhere on the world wide web”. Content is not generally original, but offers facility for input from the general public. Blogs (“user-generated content sites”) fall into this category. Crime reporting is represented in this category by *crimespider.com*.

Meta and comment sites: Included in this category are media watchdogs and “meta-media or meta-journalism” sites, such as *Media Watch*.

In this respect the Internet has contributed to further professionalisation of journalism overall, as the ability and willingness

to publicly reflect on itself and being openly self-critical is generally seen as one of the defining characteristics of a professional (Beam, 1990, cited in Deuze, 2003, p. 210).

Share and discussion sites: These utilize the ability of the Internet to cater to people's need to connect and communicate and provide a "platform for the exchange of ideas, stories". Sites of this nature dealing with the reporting of crime and criminal justice include web pages relating to the three demonstration case studies, online petitions and chat rooms.

Particularly pertinent were these comments from Deuze (2003, p. 216):

In order for a news site to become interactive in a participatory way, or a discussion site to begin offering quality multimedia content, the particular newsroom has to undergo quite a few changes and face some tough choices about values, goals and standards – not least having to deal with the problematic commercial aspects of electronic publishing routines and the impact that such choices may have on management and newsroom organization.

However, what most of these online publications are failing to take into account, even at this early stage, are the different needs of their online audience. It can no longer be assumed that those who read newspapers and those who access the Internet for the news are the same people, or are even looking for the same essential factors in the news they are reading. What must be investigated are factors such as age, gender, time restrictions in both duration and deadline. Key differences identified between online and print environments included among others "more multi-faceted presentations, leading to a "total experience for the reader" (Ewart & Gregor, 2001, p. 55). None of the interviewees in this study mentioned the significant distinction highlighted by Craig (2005, p. 12) that online news is sought more by people who already have an interest in the news. This factor alone would account for an important difference in the focus of news stories online and in traditional media.

Taking into account these extensive opportunities afforded by online journalism and the criteria given for an effective interactive news site, it was interesting to note that most of the

respondents interviewed stated their online publications carried exactly the same articles as their mainstream counterparts. Only one or two, notably *theage.com.au*, a combination of news produced specifically for the website and news from the print publication, saw their online news sites as substantially different from their mainstream publications. In general, the response was that articles from traditional news outlets were simply transferred directly to their online editions.

Admittedly, this could have been because many of these online sites were still in their embryonic stage and had not yet made the full transition to an independent online news site, although "... during 2008, traditional media companies are more likely to move towards a more active and dynamic **online** presence" (Deloitte, 2008, cited in O'Connell, 2008). Australian newsrooms were accused of making a "slow online move," called "crazy", "mean, stingy bad management" with a "downright stupidity" (quoted in Tapsall, 2001, p. 243, cited in Nguyen, 2008). A major development was Rupert Murdoch's decision in 2005 to join the online fraternity and his speech to the American Society of Newspaper Editors (2005) was instrumental in changing the publishing philosophy not only of his own organisation but also those of his competitors.

The subject of the speech was the role of newspapers in the digital age and the challenge "to apply a digital mindset to a new set of challenges". He pinpointed the "different expectations of the next generation of young consumers increasingly turning to the Internet for their news", wanting "control over their media, instead of being controlled by it". He noted the probability that every news outlet represented in the room hosted its own website, but was not using that website to its fullest advantage. He said: "Today, the newspaper is just a paper. Tomorrow, it can be a destination." He mentioned the risky concept of "using bloggers to supplement our daily coverage of news on the net" and referred to the fact that "reporters and editors think their readers are stupid" (Murdoch, 2005). Similarly, Neil Chase, deputy editor of the *New York Times* online said "readers have grown increasingly sophisticated about what they expect from the media and have ever-growing access to see how the process works" (cited in Dorsett, 2005). Senior News Ltd reporter Neil Mercer (*Sunday Telegraph*), referring to the different age demographic of the two audiences, said: "... and that's why you now see News Limited taking such an active interest and pouring

money into our websites and our online”. His publication had allocated separate members of staff to deal with the online publication, unlike a number of other interviewees who had not yet taken this step.

The difference between traditional and online audiences has also affected the approach taken by the two media forms to the way in which they deliver their news. Interviewees in this study commented on a number of related issues. Michael Corkill (*Courier-Mail*) stated the organisation’s online edition had given it the ability to include print-originated stories that otherwise might not have appeared on the Internet, allowing “a foray into an audience that may not normally be available to them”. However, no mention was made of any deliberate attempts to turn that foray into a targeted drive, despite the incentive of the more beneficial economics of online news, where little or no expense is incurred in reaching a larger audience. Still, it should be remembered that it is not a given that an online publication will necessarily attract a global audience (Gunter, 2003, p. 41).

Michael Corkill (*Courier-Mail*) raised another point in defence of traditional publications: “... there’s a lot more depth to newspapers than appears on the Internet, so I think there may be times when you can read on there but you’ll certainly want to read a feature inside the paper”. Jim Kelly (*Sunday Times*, Perth) defined the difference in his case as more one between a Sunday and a daily newspaper. Peter Foley (*Ipswich Queensland Times*) considered stories on the Internet “might be inclined to be a bit more knee-jerk”, whereas the newspaper had “more time to authenticate things” and remarked on a controversial issue: “We (mainstream) can be more sure that they’re true before they go to print, because we haven’t got the chance to retract things quickly the way they (online) have”. This comment illustrated another perception about the Internet, that its speed allowed it to change or retract stories more quickly than traditional media. However, although the potential is there for speedy retractions, the likelihood is less evident, as the process of retraction or apology, a normal part of mainstream practice, is rarely followed on the Internet (Lynch, 1998). In addition, even if a retraction or apology were published online, the probability is that the offending material would continue to be accessible on the Internet, even if less easily than previously. Ericson et al. (1987, pp. 194-195) also referred to the “apparent lack of

systematic efforts by journalists to *know* their public rather than just *have* one” and stressed the importance of “maintaining a dialogue with the public”.

From a television perspective, Peter McCutcheon (*7.30 Report*) said the transcript of a story would be “quite different if crafted for the Internet” and, talking specifically about crime reporting, Deborah Knight did not believe the Internet broke as many stories as traditional media did. Michael Corkill (*Courier-Mail*) suggested the Internet was perceived by more people as a source of entertainment, an aspect of news coverage to be discussed elsewhere in this chapter.

Finding: Although there is evidence of some traditional media analysing the make-up of their online audiences and adapting their reporting to suit the needs of this new audience, many outlets still appear to be in the ‘shovelware’ stage of transition. This tendency is likely to become less apparent as traditional media’s online sites become more established. In this respect, the Internet has no influence on reporting in traditional media.

6.12 Morality

While the news values discussed above relate to general news reporting as well as to the reporting of crime and criminal justice, some researchers have identified other news values relating solely to crime reporting. For instance, Katz (1987, p. 48) referred to a familiar theme when he wrote about moral boundaries in crime reporting: “...all crime stories that are published fit one or more of four classic forms of moral problematic”. These are defined as individual moral character, community moral character, political morality and organisational morality, aspects which Ericson found provided the “fascination (fun) of crime stories”:

...crime news provides moral lessons that are useful in addressing the social pressures that people routinely confront in their own lives. People do not expect the representation of crime in the mass media to help them in their search for empirical truth about crime and criminal justice. Rather, they use it to make their own moral judgments regarding the story in question (the politician *is* corrupt, the victim *was* wronged, the criminal

deserved a harsh sentence), and their own moral decisions degrading dilemmas they face in everyday life (Ericson, 1995, p. xv).

Morality, in this context, applies not to journalists and their need to observe the ethics of their profession, but to the public and the moral judgment they make of victims and perpetrators. Jewkes (2004, p. 78) supported Jock Young's suggestion (1971, 1974, cited in Jewkes, 2004) that many people who believed in their own superior morality and objected to the "morality of deviants" in fact secretly admired and were jealous of those who transgressed the rules:

According to Young (1971), if a person lives by a strict code of conduct which forbids certain pleasures and involves the deferring of gratification in certain areas, it is hardly surprising that they will react strongly against those they see to be taking 'short cuts' (Jewkes, 2004, p. 78).

The linking of morality to crime reporting was detailed by Grabosky & Wilson (1989, p.12) who cited Katz (1987, 48-52) when referring to the "fourth role" of the Australian news media:

... to provide a focus for the affirmation of public morality. Australia today is a pluralistic society ... When such fundamental values are violated, such as through the murder of a child, the news media enable members of the public to share their indignation, and provide an opportunity for the reaffirmation of the basic moral standards of society. In a sense crime news serves the function of a morality play.

They made this link again when they reiterated: "The emphasis on the 'right sort of people' reflects the role of crime news as morality play" (Grabosky & Wilson, 1989, p. 14) and again when they found editors looked for stories with " ... 'impact on the community' or which tend to 'outrage or 'threaten society'. In drawing such a bold line between Good and Evil, the Australian news media both reflect and reinforce the prejudices of Australians generally" (Grabosky & Wilson, 1989, p. 12).

Nowhere is this point of view demonstrated more convincingly than in the proliferation of ‘blogs’ or user-generated content inspired by the three demonstration case studies outlined in this paper. In Schapelle Corby’s case, chat rooms and blog sites extended from on-line petitions, accusations of her guilt and protestations of her innocence, to vilification of the media themselves for their alleged role in the eventual outcome. There can be little doubt the Internet has had a severe impact on traditional reporting on Schapelle Corby. In the Joanne Lees case, public sentiment expressed itself first as sympathy and then as outright condemnation, in a demonstration of what criminologist Professor Paul Wilson referred to as the cynicism prevailing in Australia towards young female victims of crime “... the community want young attractive women to come out and tell it all” (Mazzocchi, 2001). This cynicism was adopted up by the media, who helped transform the perception of someone originally regarded as a victim into a person of suspicion. Moral judgment was handed down and later turned full circle when legal judgment overruled with a different verdict altogether.

However, it can be argued that community moral condemnation was exemplified to an even greater degree in reaction to the kidnapping of Madeleine McCann. In the same way that Joanne Lees was portrayed first as victim and then as suspect, Madeleine McCann’s parents attracted first sympathy and then blame and suspicion, to the extent of becoming legal suspects (in Portugal) in the kidnapping of their daughter. Public opinion became so inflamed that subsequent exculpatory evidence produced little impact. Ericson et al (1991, p. 8) described “moral-character portraits: of demon criminals, of responsible authorities, or crooked politicians, and so on”. They speculated that using personalisation in this way contributed to the public belief that “troublesome persons rather than troublesome social structures” were to blame and this again is relevant to the McCann case. Therefore, while the parents were being held responsible for the kidnapping, fault could not be found with either the situation or the authorities in Portugal, nor could the circumstances pose a threat to thousands of other holiday-makers, who could point to themselves and attest to their superior approach to child care.

Human nature itself accounts for this reaction to crime reports. People are interested in crime stories because they need to “detect threatening factors in their environment” (Jong Hyuk Lee, 2008). Respondents in this study spoke of the public’s interest in stories of a

“gruesome nature” and their ongoing fascination with crime. “Crime itself is sensational” (Paula Doneman, *Courier-Mail*); “the things that are playing well on the Web are crime stories ... international crime stories will play very well if they’ve got a ... twist to it” (Murray Cox (AAP). Supposedly accompanying this fascination is a sense of relief that someone else is the victim and along with it a ‘righteous indignation’ towards the crime and perpetrator, “if there’s a rapist running around, or there’s gangs of youths like we had a while ago in Cronulla”, (Corkill, *Courier-Mail*).

Finding: Moral tales as values have long been established in crime reporting in traditional media and would now appear to hold the same currency online. Consequently their role in crime reporting is unchanged by any Internet influence.

6.13 Regulation

Peter Coroneos (2000) pointed out the difficulties of attempting to regulate the Internet, with its potential to carry content found to be offensive or even illegal in certain jurisdictions. Its global and “instantaneous” nature placed it outside the boundaries of control of other media. He said:

While logic would dictate that the publishers of content should bear the responsibility for ensuring it is legal in the place where it is published, the Internet has a habit of rendering traditional control paradigms irrelevant or unworkable and conventional laws unenforceable. (Coroneos, 2000).

His belief was that the ‘end-user’ was best positioned to control the content accessible and he called the practice of suing the Internet Service Provider “shooting the messenger”. He pointed out that “most material that is illegal or offensive in Australia is hosted on computers located overseas and out of reach of both our regulations and our courts”. This observation would apply to the media, crime, Internet nexus of investigation of this research. Coverage of Australian crime is included on global websites and some, such as the example referring to the Port Arthur massacre, may well be deemed offensive to many Australians (Vialls <http://vialls.homestead.com/portarthur.html>). Pearson commented on the conflict between the media and the justice system in this same case (2004, p. 21) and asked: “How much coverage

of such a crime should be allowed?” The scope of this question becomes magnified enormously when applied to the Internet’s far-reaching ability to jeopardize the outcome of a court case anywhere in the world.

It might also appear at first glance that the Internet is not subject to the accepted legal and ethical norms of publication in the traditional media. Driscoll (2005, p. 85) said this about the matter in the United States:

As the newest medium of electronic mass communication, the Internet thus far has been regulated in a manner closely akin to the print model. The Internet lacks the characteristics of the broadcast and cable media used to justify expanded regulation. Unlike broadcasting, there is neither scarcity to justify a federal licensing scheme nor intrusiveness to justify indecency regulations, because Internet content is invited into the home.

Svantesson (2005a [Abstract]) found “certain forms of Internet communication challenge traditional models of regulation” and he cited among his examples “borderlessness, geographical independence ... lack of central control and convergence”. This country attended to the disparity when the Australian Government passed the Broadcasting Services Amendment (Online Services) Act 1999, amending the Broadcasting Services Act 1992 (Cth) “to include regulation of the transmission and hosting of Internet content in Australia” (Coroneos, 2000). The question arises as to whether journalists in the traditional media today are aware of or have considered the broader legal and ethical implications of the Internet and, if so, are their own methods of reporting influenced by this awareness?

Consequently, one of the first questions posed to each of the respondents canvassed their opinions on legal and ethical issues. The topic was introduced from a broad perspective and further discussion narrowed the range to specific criteria in both categories, with the intention of determining to what degree the media, crime and Internet intersection might have been influenced in this regard. A surprising number of interviewees were unaware of new implications presented by the Internet and believed their traditional checks and balances were adequate.

Although the Internet environment was not an issue at the time of the Grabosky and Wilson survey in 1989, their comparison between other electronic media existing at the time and print resulted in this conclusion: “More than one journalist advised us that the newspapers are much more vulnerable to defamation actions than are the electronic media” (Grabosky & Wilson, 1989, p. 86). Their respondents put forward the view that newspapers were “etched in stone” and that they were more freely available with longer accessibility than radio or television.

Finding: The legal and ethical ramifications of online journalism are still to be confronted by a large number of practising journalists before the extent of their implication is fully understood. Regulation of the Internet is still a work in progress, as its many pitfalls and demands become apparent. Clearly, in this context the Internet and technology have had and will continue to have a significant impact on the news media, with substantial influence over the reporting of crime and criminal justice.

In answering the major research question of this paper, this is one area in which the Internet has achieved a significant impact and changed the long-held views of the balance of accountability.

6.14 Ethics

However, larger issues emerge when the subject of ethics is examined in its online context. Privacy, confidentiality, source of information all take on an added significance when the Internet is part of the reporting equation. Gunter (2003, p. 113) made the point that records “previously only available in hard-copy, often rendering them difficult to access, are becoming increasingly available on the Web”. This development has a significant impact on the ethical question of confidentiality and disclosure. While the call today is generally one for transparency in making information available to the public and keeping them informed, this must often be at the expense of the individual’s desire for privacy.

Yet, in the context of crime reporting, this determination to keep the public informed is dialectically at odds with the notion of privacy. When crimes are reported, particularly those of a sensational nature, the media invoke the ethic of the public right to know, sometimes

ignoring the individual's desire for privacy although valid reasons can exist for invading this privacy on occasion: Hurst and White (1994, p. 169) referred to the public support resulting from publicising the plight of victims, as well as the media's contribution to eliciting information and tracing otherwise elusive suspects.

Yet, do the public right to know and the importance of transparency extend to the complete coverage of murder trials, "most intrusive of news media access to the judicial system" (Surette, 1998, p. 95)? Presently, live television coverage is not permitted in every courtroom in the United States; it was banned in 1937 and the ban overturned in 1953 in Oklahoma City. In Australia, the Federal Court was the first Australian superior court to allow "the recording of judgments for subsequent broadcast; the videotaping of a whole trial (Yorta Yorta) for potential televising; and the live broadcast of a judgment (MUA/Patricks Full Court)" (Phillips, 1998).

The Internet has supplemented its broadcasts with creative use of interactivity, as evidenced in the O.J. Simpson trial, "... the first to be fully discussed and diagnosed on the Internet" (Greek, 1996). People who followed the trial did so with the aid of every online facility available: e-mail, chat rooms, news groups and Web pages. Court TV broadcast the entire trial online and created an O.J. web site; thousands of ordinary people created their own web sites, where the case and the subsequent verdict were discussed openly, with information traded at will. This interactivity continues now, long after the civil trial produced a Guilty verdict and O.J. Simpson himself moved to Florida. Since then, he has become involved and convicted in further criminal proceedings, again covered extensively on the Internet.

The impact of this extensive coverage cannot be over-emphasised. Surette (1999, p. 601) referred to the "news media echo effect" whereby high-profile media trials influenced other, less publicised proceedings, an effect that can only be exacerbated by the additional Internet attention. Online coverage increases public knowledge dramatically, leading to a corresponding rise in the level of transparency and the development of even more contentious questions. The public is already privy to a suspect's capture and arrest through the facilities of both television and the Internet, so will 'live' reporting of preliminary

questioning be the next step? In addition, the public has already been visually transported to crime scenes and seen and heard jurors discussing their verdicts after the trial, as happened with the Scott Peterson case coverage on *USA Today* (Ritter, 2004), so could the camera eventually intrude inside the jury room itself, to witness consideration of that verdict? Will crime re-construction and simulation become even more graphic and specific than they are already? As far-fetched and unwelcome as some ideas might seem today, it bodes well to remember that the multi-media facilities of the Internet itself were just as far-fetched before their inception. Nevertheless, this rise in the level of transparency demonstrates a direct influence of the Internet on the reporting of crime and criminal justice in traditional media.

Moreover, the public right to know can be given too broad an interpretation when considering coverage of court and jury proceedings. Apart from the potential repercussions of the news media echo effect described above (Surette, 1999), extensive online coverage has the potential to influence jurors' deliberations, while post-trial interviews could jeopardise their safety. Although cameras in the courtroom remain a judicial decision in most countries, some form of regulation would seem to be indicated to prevent a recurrence of the public frenzy that surrounded the Scott Peterson and O.J. Simpson trials, details of which remain accessible online to this day. Such regulation would need to take into account the determination and ingenuity demonstrated by television and online producers eager to give their audiences courtroom access denied by the judge's ruling, as with the trial of Michael Jackson ("The case against Michael Jackson," n.d.). Another example of transparency in courtroom proceedings was published in the *Hickory Daily Record*, which invited its readers to follow a murder trial online through a series of blogs and recaps to be posted by the reporter (Menster, 2007). Trials are traditionally popular coverage with news organisations, as they allow frequent updates and permit reporters who attend to choose from a number of story angles (Chermak, 1995).

Another contentious question is expense and the fact that Internet users do not expect to pay for their online information. Consequently, online publishers turn to such avenues of income as advertising and sponsorship, even placing advertisements on the front page of their online publications. Gunter (2003, p. 169) believed this blurring of the separation between news and advertising might pose legal problems in ensuring "protected space" for

news. “Online editorial staffers face questions about their Web sites’ ad placement, the influence of e-commerce on editorial decisions and related questions that affect credibility and editorial independence” (Lasica, 2001). On the other hand, the problem could be that “for a long time we were trying to pour old wine into new bottles. The models we had for revenues generation all came from older media” (Regan, 2000). When is it permissible for corporations to sponsor editorial content? Do news organizations compromise their independence by partnering with companies that have a vested interest in gathering information about readers in ways that could compromise their privacy? How much of this relates directly to the reporting of crime and criminal justice?

It is not unknown for advertisers to influence the copy appearing in a publication. “Concern has been voiced that advertisers will continue to influence the news in the online environment, and even that they may enjoy greater success in doing so (Zachary, 1992, cited in Gunter, 2003, p. 114). In the context of the reporting of crime and criminal justice, this possibility raises the fear that criminal cases might be reported selectively, omitting or emphasizing certain data to the advantage of an advertiser or sponsor. The ethics of reporting might also be affected by the publisher’s need to be first with the information and consequent publication before thoroughly checking the facts. These are just some examples of the impact of the Internet on ethical considerations, an impact that will continue to affect the media, crime and Internet nexus and is likely to become more pronounced with time.

Despite the ethical pitfalls inherent in online crime reporting, there are those who believe “online track sites have performed admirably” (Lasica, 2001). This source grouped online journalism ethics into three categories:

- “Gathering the news
- Reporting the news
- Presenting the news”

In the newsgathering process, ethical considerations include a journalist “concealing her identity in a chat room” and “recording and streaming digital footage without the subject’s permission” (Lasica, 2001). In the context of crime reporting, this could conceivably apply to

the Schapelle Corby or Madeleine McCann cases, where many examples were shown both online and on television. However, Lasica believed online news had “enhanced journalism’s credibility” and allowed journalists to use the “link-based architecture” to give additional information. The author cited the Microsoft antitrust trial as one example and, to justify the contention that the Internet enhanced credibility, stated “the self-correcting machinery of the Internet makes it that much harder for fabricated accounts to stand unchallenged” (Lasica, 2001). However, it can also be argued that, in the eyes of the respondents interviewed, those fabricated accounts are more prolific on the Internet in the first place. In addition, “the self-correcting machinery” does not always do its job, as evidenced by the amount of online speculation and mis-reporting about the murder of Peter Falconio, as well as the disappearance of Madeleine McCann.

Respondents in this study were careful to differentiate between the element of public interest and that of ‘in the public interest’. Craig (2005, p. 250) explained: “... the public isn’t some single monolithic group” and pointed out that addressing the interests of one group sometimes meant hurting another. He also suggested that “the ethical dilemmas have multiplied exponentially” since the advent of online journalism (2005, p. 252). These dilemmas would include accuracy, accountability, balance and moral duty, all of which should already have been within the ethical parameters observed by journalists in traditional media.

Finding: While the ethics of traditional journalism have been firmly established, they are likely to be given added significance online. Thus their presence in reporting on the Internet will be equally likely to influence reporting on crime and criminal justice in traditional media.

6.15 Newsgathering

Lasica’s prediction (2001, para. 16) sounded alarm bells about potential techniques of online reporting, no less in the reporting of crime and criminal justice:

The decade ahead promises to thrust online news gathering techniques into the spotlight far more prominently as untold thousands of Net users take on the mantle of amateur reporters and begin lone-wolf operations to cover

stories in their back yards and neighbourhoods, complete with Weblogs and video footage but absent the standards of professional newsrooms.

The accuracy of this prediction is already evident with the introduction of YouTube, a website carrying video footage recorded and uploaded by Internet users. Footage of crimes on this site has already brought infringements of the law to the attention of the authorities and firm prosecutions have resulted. Gunter (2003, p. 67) wrote about this world where “everyone can become a publisher” and warned that “journalists are vulnerable to losing their franchise as gatekeepers of the news”. Or, as commentator Jeff Jarvis reportedly put it: “Give the people control of media, they will use it. Don’t give people control of media, and you will lose” (Murdoch 2005, web document, cited in Nguyen, Ferrier, Western, & Mckay).

Reporting the news today brings with it the mixed blessings of speed, referred to by a respondent in this survey and discussed in the News Values section of this chapter. Lasica (2001) stated: “In the current saturated media environment, the Internet heightens the intense competitive pressures to be first, while a story is still developing and key facts remain unknown.” Frequently, it is this factor that is largely responsible for the low level of credibility accorded the Internet by professional traditional journalists. Immediacy takes priority, all too often at the expense of accuracy. Gunter, too, warned of the danger of “the reporting of raw facts about events and reduced attention to placing them in context” (Gunter, 2003, p. 114). Pavlik brought this observation into the context of crime reporting with the example of the Columbine shootings in the United States and asked:

Would you rather have waited to find out about the shooting until the next day when your local newspaper would have reported about it in the morning paper, having had 8 or more hours to check the facts, or would you rather have learned about the shooting moments after it occurred as it was reported on the Web, with little time for fact-checking and a fairly high likelihood of some errors? (Pavlik, 2000, p. 231).

An unexpected factor influencing story selection and consequently newsgathering was raised by Peter McCutcheon (*7.30 Report*), who referred to the convenience aspect of using the Internet for research purposes, as opposed to more traditional methods: “I know news

values should drive everything, but from a pragmatic point of view if something is more convenient that might have an influence ... ” He went on to explain that stories needing a great deal of searching for recoverable documents now took less time and that was “critical” in deciding whether or not to go ahead with a story. This would accord with earlier comments from respondents relating to the influence of the Internet in speeding ease of access to official documents in reporting of criminal justice.

Finding: The newsgathering activities of amateur reporters are likely to jeopardise the professional standards expected by traditional journalists and bring into focus once again the conflict in priorities between speed and accuracy. In addition, the Internet has introduced convenience as a criterion for news selection.

6.16 Media rivalry

Despite the increasing synergy between traditional and online publications, a certain ‘us’ and ‘them’ relationship has been observed between the journalists of both media. This might simply be an up-to-date extension of the same schism that applied in earlier years between print and electronic media. Grabosky and Wilson (1989, p. 53) reported print journalists as being “critical of the ethical conduct” of their electronic counterparts, with one journalist saying: “The laws are applied much more vigorously to the print media than they are to the electronic media. I mean television and radio get away with murder.” In addition: “Radio and television are far more irresponsible in the way they cover crime than newspapers are, because we’re more accountable.” While it must be emphasised once again that the electronic media in that particular study excluded the Internet, it would still seem to be a case of *plus ça change, toujours la même chose*: the criticism levelled by traditional media at their online colleagues continues unabated, in the area of crime reporting as much as any other.

This view was underscored in 2004, when the Editor of the *Portland Oregon* Sandra Mims Rowe gave the keynote address at the annual conference of the American Society of Newspaper Editors and claimed the Internet “makes a journalist out of anybody who has a modem” (Welch, 1998). She maintained that new media did not embrace the standards of their traditional counterparts and spoke about the “degenerate influence of the World Wide

Web.” Tom Shales of the *Washington Post* called the Internet “the new electronic Tower of Babel” (Welch, 1998) and *Los Angeles Times* media critic David Shaw wrote “Speed is the name of the Internet game ... speed is often the enemy of accuracy” (Welch, 1998). Welch countered these arguments with a quote from new media freelancer Brooke Shelby Biggs, who took the premise to new lengths and wrote about the “arrogant idiots” who cover the Internet for traditional media (Welch, 1998). Giving the benefit of the doubt, perhaps the answer lies in lack of familiarity with the Internet, as found by Paul K Harral, ombudsman of the *Fort Worth Star-Telegram*: “I’m still amazed at the number of my profession who do not know how to use the Internet...” (Welch, 1998, para. 16). The difference would seem to apply to the perception of the responsibility or otherwise of the print media. Has the Internet changed this perception, particularly in view of the fact that it is generally regarded as being less accountable than other, more easily policed media? Or, on the other hand, is it precisely because of this that the online publisher, in this survey at least, has taken it upon himself to observe the ethics more rigorously? “A central tenet of journalism is that news should be fair, balanced, and objective” (Gunter, 2003, p. 113). In the context of crime reporting, there is little doubt that this is one of the ways in which the Internet has shown its influence on the reporting by traditional media.

A discouraging premise to emerge from these results is that the distrust felt by some audiences for the Internet is translating itself into a parallel distrust of journalists themselves. A report in *Quill* quotes some correspondents to an article by the co-chairman of the SPI Ethics Committee in Denver as having “given up on mainstream media because journalists are no longer trustworthy” (Brown, 2001, p. 58). The opinion is given that not only are fewer people accessing mainstream news, but they are “leading news-free lives”, having given up on news altogether. Yet, crime news still finds its way around the world, as was shown in all three demonstration case studies described in Chapter 5 of this study. The disappearance of four-year-old Madeleine McCann, the Australian outback attack on UK backpackers Peter Falconio and Joanne Lees and the arrest and conviction in Australia of Schapelle Corby all received wide international coverage, demonstrating that public interest in crime has not abated, despite the reported lack of trust in its reporters.

Web logs or blogs have not been investigated in depth in this research, because their proliferation and unverified content make them difficult to substantiate and they are worthy of research in their own right. However, a number of print publications have developed their own ‘spin-off’ blogs and these provide a valuable source of audience feedback. As a component of the Internet, they have a bearing on the influence of the Internet on the reporting of crime and criminal justice. Many blogs are devoted to the subject of crime and in the context of accuracy would appear to be an influential element in the three-way nexus of this research. Wiltse (n.d.) acknowledged the difficulties of crediting these websites with accuracy and Seipp (2002) pointed out that “Blog writers make mistakes...” It has also been speculated that blogs could soon have larger readerships than online newspapers (Palser, 2002a) and, in the context of crime reporting, this could be a significant factor in assessing or determining the accuracy of the Internet.

6.17 Trial by Media

Entertainment and sensationalism are not too far removed from the phenomenon of trial by media, where the media in both forms conduct their own trial, not to be confused with media trials in which the media give extensive coverage to high-profile trials and defined by Surette as a “regional or national news event in which the media co-opt the criminal justice system as a source of high drama and entertainment” (Surette, 1998, p. 72). However, the Internet has the ability to impact on trials conducted by traditional media through influencing public opinion with its global reach. This thesis has provided evidence of trials by media in coverage of each of the three demonstration case studies and there is little doubt that the Internet has exerted its influence here.

Gail Phillips (Murdoch University) said it was almost like “watching which way public opinion is going to go and what’s going to be swaying it. It’s kind of praising someone for their size and then tossing them down with suspicion and the unhealthy obsession with them to give us more information than any of us really need.” Both Kate McCann and Joanne Lees started out as victims and were transformed by media coverage into suspects. *The Times* (UK) said “the McCann’s innocence or guilt will be established by judicial process, not in the court of public opinion” ("The value of dignity: A trial by media will not help to find the truth about Madeleine McCann," 2007). Although traditional and online media had tried the

McCanns in their publications and public comment, new media – “the online world of websites, bloggers and instant public feedback” – was singled out as being “far more hostile” (Button, 2007).

Both Joanne Lees and Bradley John Murdoch were subjected to trial by media, in traditional media and online sites such as *BigFooty* (“Do you believe that Joanne Lees is telling the truth?”, 2005). Publications were flooded with stories encouraging judgment on the unlikelihood of Joanne Lees hiding and escaping from her attacker, the moral uncertainty of her affair while still in a relationship with Peter Falconio, the ‘cash for comment’ speculation about her television appearance and the clothes she wore at Murdoch’s trial. Schapelle Corby endured two trials simultaneously, one in the Bali court and another in the media. Of the two, the former was distinguished by achieving finality and a certain sense of closure with a legal verdict, while the latter has not yet reached that conclusion, but continues in all media. A lengthy article in *Metro Magazine* included these comments:

The Corby case set a new precedent for lowering the bar ... Despite the presumption of innocence in a court of law, news organisations will present the case slightly differently in the court of public opinion ... The prosecution has already ‘rested’ its case by virtue of its motions in the media ... The Corby case is without precedent in that the Australian media almost invariably – and emphatically – sided with the defendant in its reporting of events (De Gois, 2005, p. 190).

The factors seized upon for trial by media were in many instances the same as those demonstrating sensationalism, bearing out what has been found in this research, that the two elements of newsworthiness are remarkably similar.

Finding: The elements present in news values of entertainment and sensationalism are often also those present in trial by media. This phenomenon online has had a direct influence on the reporting of crime and criminal justice in traditional media and consequently on the media, crime and Internet nexus.

6.18 Representation of the criminal justice system

Potter and Kappeler (2000, p. 4, cited in Muraskin & Domash, 2007, p. 12) said: “ In addition to devoting a disproportionate amount of coverage to crime, the mass media organise coverage in a way that seriously distorts the reality of crime.” This has been demonstrated in analysing coverage of the demonstration case studies in Chapter 5, Madeleine McCann, Joanne Lees and Schapelle Corby. In Madeleine McCann’s case, the Portuguese criminal justice system was singled out for negative representation and criticised for almost every aspect of its handling of the case. In Joanne Lees’s story, the Australian system came under fire from both sides, attracting criticism from the key player for the delay in finding the suspect:

Then came the slow dawning that while the police seemed unable to do their job efficiently, she had, horribly, become a suspect herself (it took three weeks, for instance, before they released the CCTV footage of Murdoch at a service station) (Dougary, 2006, para. 37).

On the other hand, Robin Bowles stated the “Northern Territory police were exceeding their jurisdiction” when they arrested Bradley John Murdoch. “There was no warrant, no offence had been committed in the territory” (Bowles, 2007, p. 199). She also wondered “why the DPP had gone to such lengths to protect Joanne and pander to her wishes” (Bowles, 2007, p. 203).

Coverage of Schapelle Corby brought forth a torrent of overt criticism of the Indonesian legal system. *Australian News Commentary* were blunt in their headline: “Corrupt and biased Indonesian authorities lock up Schapelle Corby for 20 years” and said: “Corby was never going to get a fair trial” (Marshall, 2005); *Media Watch* said “ ... we know Schapelle is innocent, it’s the Indonesians and their legal system that are in the dock” (Jackson, 2005); on ninemsn’s *Sunday* program, Ross Coulthart asked directly: “Isn’t the Indonesian justice system corrupt?” (Coulthart, 2005).

6.19 Attitude to Technology

Neil Mercer's 35 years experience in the profession gave him the opportunity to compare crime reporting pre- and post- Internet and he named a priority challenge as "Getting your online in synch with your newspaper", an indication of the close attention his organisation was now paying to online facilities and the significance of the Internet as a reporting medium. His comments then led to the question of journalism training and preparation. Do those who have entered the profession more recently take a more casual approach to the basic research and verification procedures endorsed by many older journalists? Has the ease with which background material can be instantly obtained, without the trappings of context and history, made some reporters more accustomed to searching for (literally) keywords, ignoring their origin and source? This could account partially for the distinctly lower regard older journalists demonstrate towards the Internet and its capabilities, an attitude perhaps attributable to the new medium coming into play when their methods and routine were already ingrained.

Neil Mercer professed that he had little need to turn to the Internet for research and, when he did, trusted only certain 'reliable' sites. Moreover, he was not concerned by the updating facility of the Internet, nor the apparent contradiction in his comments:

... because I suppose I'm in a position where I've got access to all the newspapers, not just here but overseas. I've got access to our news text service which gives me years of background. I can go to the Net and sort of look at analysis of stuff ... (Mercer, *Sunday Telegraph*)

What this respondent failed to acknowledge was that, while he did not turn to the Internet for up-to-date information or background material, he was in fact taking advantage of its facilities to give him access to the overseas newspapers he relied upon for his background material. This incongruity was noticed in the comments of a number of respondents, who found the Internet suspect regarding its material, but nonetheless accessed their 'reliable' sources through those same unreliable facilities of the Internet. In most instances, the reliable sites were described as those hosted by traditional news outlets, underscoring the respondents' faith in their own routines and trusted sources. In fact, "The Internet is a

formidable presence in newsrooms, is highly valued by the majority of journalists” (Franklin, 2008, p. 312).

Thus, experienced journalists seem to be using the term ‘Internet’ to refer to the new-fangled non-journalistic gamut of online material that pops up at random. They appear to separate or even ignore traditional media’s websites when using the term ‘Internet’ and state they make little use of it in their own work. This is an interesting phenomenon, given that the major news groups have taken their publications online and dominate most popular news sites on the Internet, e.g. *SMH*, *news.com.au*, *ninemsn*, *theage.com.au*. It became clear from an early stage that a number of respondents perceived the Internet as some vast, monolithic and unreliable amateur arena. Referring to the use of spokespeople or authorities, Kevin Naughton (*The Advertiser* and *Sunday Mail*) said: “We’ve often found that Internet research capacities for those sorts of things are not entirely reliable yet.” Other interviewee responses related to accuracy and included: “I certainly would not take the Web as a credible tool” (Gail Phillips (Murdoch University); “ ... on the whole, if you’re getting information off the Internet, it pays to check it” (Jim Kelly, *Sunday Times*, Perth); “ ... just because it’s on the Internet doesn’t mean it’s correct (Michael Corkill, *Courier-Mail*); “I would never go straight to the Internet” (Tony Wilson, *Gold Coast Bulletin*); “ ... a lot of people rely on the Internet as being the correct information when ... it can be wrong” (Deborah Knight, *Ten News*); “It’s not terribly reliable a lot of the time” (Neil Mercer, *Sunday Telegraph*); “We triple check it now” Kevin Naughton (*The Advertiser* and *Sunday Mail*). Some respondents put forward individualistic views: “There’s a lot more depth to newspapers than appears on the Internet” (Michael Corkill, *Courier-Mail*); “I would use it as an information tool rather than a source” (Graeme Butler *Today Tonight*) “I generally restrict my use of the Internet as a journalistic tool to checking spelling and names of organisations and all that simple stuff from official websites (Peter McCutcheon (*7.30 Report*, Brisbane).

Addressing the 1999 Freedom Forum Technology Conference for Educators in San Francisco, Jon Katz said: “They lurch from one extreme to the other. Either it’s a dread menace that’s destroying civilization and spreading pornography or it’s a great utopian vision that’s going to transform the world” (Katz, 1999, cited in Kees, 1999). Furthermore, Franklin (2008, p.309) wrote of the “resistance” of journalists “to the incorporation of new

technologies in the production of commodities” and Nguyen (2008, p.92) described the “starting point” as “the long-established fear-driven defensive innovation culture among newspeople”. He wrote of attempts to drive “a potentially disruptive medium out of the media landscape” (2008, p. 93), citing Kerry Packer’s lobbying to offer little more than his own network’s offerings on the digital television set-top box; he also referred to the need to preserve the “we publish, you read” concept (2008, p. 97), as well as the danger that traditional journalists were more concerned with the ways in which the Internet could “destroy” their existing publications than in becoming “innovative leaders in this new area” (Franklin, 2008, p. 98). “Traditional journalism is based on the concept that you have only one chance to print the truth correctly” (Blossom, 2006, cited in Sandoval, 2006). This concept was shared by many of the respondents who remained largely negative, in keeping with the attitude of their US counterparts (Chan et al., 2006). Nonetheless, they were unanimously positive about one aspect, particularly with reporting of criminal justice: the positive effect of the easier access to official data on the Internet. One interviewee spoke about being able to obtain in minutes information that previously would have taken days to obtain and other respondents also referred to the easier availability of court documents and area plans, “supreme court judgments, district court judgments, judgments of other bodies”.

Finding: Fear of new technology has been identified as a significant reason for the suspicion and distrust with which established traditional journalists regard the Internet. However, the dichotomy of this suspicion is the coexisting failure to acknowledge the credence which they are prepared to place on established or reliable websites, also a part of that same new technology.

This chapter has discussed the results and findings of the elite interviews, combined with those of the three demonstration case studies, as they apply to the major research question of this thesis: **In what ways has the Internet influenced the reporting of crime and criminal justice in traditional media?** The next chapter in this thesis discusses the significance of these findings and the conclusions they suggest.

CHAPTER 7: CONCLUSION

7.1 Introduction

Despite the paucity of available literature on the nexus of media, crime and the Internet, this thesis has demonstrated throughout its research the efficacy of its guiding hypothesis: certain key journalistic elements change when crime and criminal justice are reported on the Internet. These elements are integral to the influence of the Internet on the reporting of crime and criminal justice in traditional media.

This influence is only superficially explored in available literature, which focuses variously on two of the three elements in the nexus investigated in this study: crime, media and the Internet. However, it is only when the three elements are examined and analysed together that the full effect of the Internet influence can be determined. It has been established beyond doubt that a number of practising journalists, particularly those whose careers in the profession were established before the advent of the Internet, are still suspicious of what they perceive as the Internet and are unaware of the effect it will have on the future of crime reporting in traditional media. They are equally reluctant to embrace many of its advantages, although acknowledging its worth as a source of research.

The final section of this dissertation brings together the findings of the various categories of research, arising from the preceding Results and Discussion chapters and incorporating analysis of the case studies selected for exemplification. It highlights the key findings arising and points out areas deserving further study. This thesis has attempted to answer two research questions, relating to the ways in which the Internet has influenced the reporting of crime and criminal justice in traditional media and the way in which crime is reported on the Internet.

7.2 Review of preliminary research question

The preliminary research question was addressed first in this thesis. Before undertaking research for the major research question, it was important to conduct preliminary investigation into the preliminary question and establish first how crime reporting was represented online. Chapter 3, Methodology, outlines the steps taken in accomplishing this,

including identifying the way crime was classified on the Internet using two internationally accepted library classification systems: Dewey Decimal System and Library of Congress. Once crime had been placed within these systems, the classification was extended to the Internet, taking in websites devoted exclusively to crime reporting and online examples of traditional media outlets. Results yielded by findings of the preliminary research question pointed to the vast number and diversity of websites relating to crime, the proliferation of these sites on a daily basis and the absence of a standard classification system for electronic resources.

7.3 Review of major research question

The major research question was arrived at when it was found that a review of literature relating to traditional media and crime reporting, although plentiful, revealed little evidence of the Internet in its context and its possible influence on that particular area of journalism. The gap existed in the nexus of media, crime and the Internet, an intersection adopted as the focus of research for this thesis. Consequently, it was difficult to place the results of this study in the context of previous research, as recommended by Holliday (2002). Nonetheless, two earlier works devoted to the reporting of crime were selected to serve as schema for the research: *Representing Order: Crime, Law, and Justice in the News Media* (Ericson et al, 1991) and *Journalism and Justice: How Crime is Reported* (Grabosky & Wilson, 1989). The former was an analysis of the elements and representations of news and the latter an investigation conducted through criminologists' interviews with practising journalists. Both works were pre-Internet and the differences in their approach to the reporting of crime and criminal justice provided a basis for guidance and comparison for this thesis. In addition, the important topic of news values had its foundations in Masterton's *Theory of News* (1998) and much criminological perspective was gleaned from *Media, Crime, and Criminal Justice* (Surette, 1998). These works, together with the numerous other sources consulted, led to the "guiding hypothesis" (Marshall & Rossman, 1989, p. 43) of this study, as stated in its introduction in Chapter 1, that "certain key journalistic elements changed when crime and justice were reported on the Internet." This guiding hypothesis was the driving force behind the discovery and exploration of the answers to the major research question, in line with Holliday's (2002) assertion that hypotheses were more likely to be revealed than tested in qualitative research.

The guiding hypothesis and major research question were addressed, through a strategy of methodological triangulation, comprising an initial web analysis, available literature, a series of elite interviews and three exemplification case studies. In this way, the use of multiple sources increased the credibility to the results and the case studies, although not in themselves a major tool of validation of the findings of this research, were a demonstration of the differences in reporting in both forms of the media and of the interaction between them.

Monitoring of reporting of crime and criminal justice in various forms of the media showed the changes in journalistic elements included news values, legal and ethical issues, framing and agenda-setting, as well as the fundamental practical changes brought about by the introduction of a new sector into the media mix. These issues were then among those included in a questioning schedule to discover how practising journalists and editors viewed the contribution of Internet reporting to their reportage of crime.

To conform with logistical and time constraints, the process of elite interviewing was adopted for the exercise and respondents were selected from the ranks of practising journalists and editors in all sectors of the media – online and traditional – academics and representatives of news agencies. In addition, a true-crime reporter, with recent material relating specifically to one of the demonstration case studies in Chapter 3, was also interviewed.

7.4 Internet influence on the reporting process

The most significant influence to emerge was that of Internet technology on the reporting process and general observations tended to yield six main factors: two relating to characteristics of the medium, two pertaining to respondents' positive perceptions and two representing aspects regarded by respondents as negative.

7.4.1 Characteristics

Movement - The circularity of the interactivity between traditional and online media is exemplified particularly in the demonstration case studies, where there is a continuous cross-over of stories and their developments. In many instances, this results in replication, also a

product of the widespread use of 'shovelware', or direct transfer of traditional copy to online sites.

Evolution - In the evolution of news reporting, the Internet is often regarded as regarded as still 'new' and so is under-utilised in many newsrooms. This pertains particularly to older and more experienced journalists, who entered the profession before the advent of the Internet and who received no formal training in the new medium. They make use of its facilities to a limited extent and, in many instances, view the Internet as a monolithic entity rather than a heterogeneous collection of websites.

7.4.2 Positive perceptions

Research - The Internet was acknowledged as an unparalleled research resource for journalists and others, particularly for the purpose of providing background. However, this was somewhat at odds with its perceived lack of accuracy.

Immediacy - The speed of access, updating and currency encompasses both positive and negative aspects. Immediacy was singled out by respondents as a major advantage, but countered by the observation that this immediacy in reporting was often achieved at the expense of accuracy, leading to a general lack of credibility. Immediacy has been accepted as a given with crime reporting on the Internet, despite its compromise with accuracy and there is little evidence of retraction or apology in online reporting. Similarly, as online content is seldom removed by its contributors or editors, an over-abundance of data is present on many websites, with readers being faced with a plethora of outdated and recent, accurate and inaccurate information.

7.4.3 Negative perceptions

Truth - As already mentioned, where journalists rely on truth or fact, the accuracy of information on the Internet is sometimes suspect, with scepticism a major outcome. A number of interviewees professed to recognising as credible sources only those websites hosted by traditional news outlets, accenting the circularity and replication already described.

Sensationalism - The Internet has the ability to emphasise the cult of celebrity, as well as the potential to transform minor crimes into high-profile cases. The ‘Oh, my God’ factor defined by a respondent bore out the sensational aspects of Internet coverage, particularly in crime reporting and the use of graphic imagery.

However, one of the most significant findings of this research has been the apparent distrust of the new medium, demonstrated by the attitude of many of the respondents towards the Internet and relating to the monolithic perception previously described. As opposed to viewing it as a collection of websites with their individual pros and cons, interviewees were more inclined to refer to it as an untried and unreliable mass of material. Almost without exception, those respondents not directly involved with online reporting expressed their distrust of the medium, except for ‘reliable’ sites, mostly identified as those hosted by traditional and therefore trusted media. What they failed to acknowledge was that these sites were part of the same Internet and yet they had complete trust in them. This aspect is one of several meriting further future study.

Although the full benefits of Internet technology have yet to be embraced by some practising journalists, it is evident that the elements mentioned above have demonstrated the impact of its coverage on the media, crime and Internet dynamic. However, the implications of this dominance in issues such as speed of publishing and immediacy are highlighted by a corresponding compromise with accuracy. Furthermore, although they might appeal to the general public, exclusively crime-related websites such as *ACandyRose* and *The Smoking Gun* were viewed as containing graphic and sometimes speculative reporting and found little favour with respondents.

7.5 Internet influence on news values

A second main set of findings relates to newsworthiness of crime stories and how news values might differ in an online reporting environment.

Certain changes have been evident, too, in the concepts of a number of traditionally accepted elements of newsworthiness of crime stories. Available literature, interviewees’ responses and the demonstration case studies all pointed to the importance of news values as an exemplar of the influence of the Internet on traditional media, particularly as they related to

the reporting of crime and criminal justice. Concepts of news values as defined by Masterton and other scholars had changed little over the years. However, Internet reporting brought with it a shifting in certain of these news values, as well as the introduction of others.

7.5.1 Observations on news values

Public interest - Rated by respondents as a primary element of newsworthiness, public interest has been enhanced and substantiated by coverage on the Internet. Its participation has ensured the elevation of certain crimes and key players to celebrity or high-profile status, adding to their level of public interest and giving credence to Craig's (2001) theory that the "explosion of media outlets" had contributed to the increased number of individuals becoming well-known names to the public. This was also borne out by the demonstration case studies in Chapter 3 of this thesis: all three cases involved people who had been unknown before a singular event had been seized upon by the media, catapulting them into fame. The part the Internet coverage played in this process was documented in each case, magnifying and sustaining the public interest to the present day.

Entertainment/ sensationalism - These have been subject to the influence of the Internet, which allows users to include graphics and detail beyond the scope of their traditional counterparts and has thus had an impact on the news value of entertainment. This research has demonstrated that the aspects highlighted in sensationalist reporting are often also those in evidence in trial by media, another area of the media, crime and Internet dynamic in which the Internet has exerted its influence. Moreover, all the female subjects of the demonstration case studies were bracketed with "Lyndification" (Toohey, 2007), thus capitalising on one of the most well-publicised instances of high-profile crime reporting in Australian history.

Proximity - Proximity is the element of newsworthiness most affected by Internet reporting. The global reach of the Internet has expanded the parameters of audience interest beyond the borders of localness, exemplified conclusively in media coverage of the demonstration case studies. Each case was the subject of intense media coverage in countries far removed from its crime scene. One key player, Kate McCann, was a British citizen whose daughter disappeared in Portugal; one, Joanne Lees, was the British victim of a crime that

took place in Australia; and the third, Schapelle Corby, was an Australian, arrested in Indonesia. Yet all three names became as familiar to Australians as they did to media audiences all over the world, demonstrating that the concept of “emotional geography” (Guilfoyle, 1999) had superseded localism in the context of proximity. Consequently this research has demonstrated that the notion of proximity in its geographical sense has been altered significantly with the advent of Internet reporting of crime and criminal justice. The far-reaching qualities of the Internet have had a profound influence, bringing into prominence the qualities of emotional geography and cultural proximity and making a major contribution to a shift in the media, crime and Internet nexus.

Timeliness - This news value has undergone a major shift in significance, imposed by the Internet. One respondent acknowledged that the Internet had “changed the nature of reporting” in this regard (Johanson, *theage.com.au*) and Craig (2005) referred to the fact that audiences now expected immediate online coverage of breaking news, in contrast to pre-Internet reporting. This was in line with the opinion of a news agency respondent, who said the public now wanted the news “before it happened”.

Convenience - Convenience has emerged as an addition to the news values identified by other researchers. Its new importance in the selection of stories is directly attributable to the ease of accessing information on the Internet and the elimination of a considerable amount of legwork on the part of the reporter.

These elements are significant in the reporting process and noticeably so in the context of crime and criminal justice. Consequently, this research has shown considerable influence by the Internet on the news values of public interest, entertainment/sensationalism, proximity, timeliness and convenience in the reporting of crime and criminal justice in traditional media.

Moreover, in investigating the “news values of the new millennium” (Jewkes, 2004) this researcher found that elements such as coverage of immediate events, threshold, individualism and celebrity were all influenced by coverage received on the Internet. In particular, the effects of spectacle or graphic imagery were maximised in online reportage.

7.6 Theoretical underpinning

A significant result of this research relates to its theoretical underpinning, the agenda-setting and framing theory of McCombs and Shaw (1972). Contrary to some other findings, this research has shown that while **agenda-setting** has been considerably enhanced by the properties of the Internet, **framing** has become less effective online, often because primary information is made available. Reporting on the Internet has played its part in telling the audience what to talk about, but has been less successful in telling them how to think about it. This has been brought about as a direct result of the links provided by Internet sites to other sources, allowing the reader to select an individual line of enquiry, with the focus selected personally instead of being decided by the author or publisher of the article.

This is a major development, a critical factor in preparing news for coverage online and is one that appears to have received little attention from researchers or respondents in this study.

7.7 Gatekeeping

Similarly, significant results have been observed in the practice of gatekeeping. A number of respondents expressed concern about the inability to control user-generated content on the Internet, as opposed to the editorial control possible in traditional media. However, interviewees' responses and Internet research have revealed that, contrary to this perception, gatekeeping is practised as much if not more in online publishing. Surette's checkpoints in the production of news stories demonstrated that only stories passing successfully through nine stages of gatekeeping were selected for publication (1998, p. 63). In addition, the newswriter's personal agenda provided yet another barrier. Singer's (1998) contention that the journalist's role as gatekeeper was the most under threat was confirmed by this study and is inextricably linked to the media framing theory. The final proof that control was not "slipping away" as suggested by Richard Sambrook of the BBC (2006, cited in Allan, 2006) was the closing of the online discussion forum of the *Leicester Mercury*, in reaction to contributors' vituperative comments about Kate and Gerry McCann (demonstration case study No, 1).

7.8 Legal and ethical considerations

This study has underlined the need for legal and ethical standards to be observed in Internet reporting, in particular those of sub judice contempt, defamation and privacy, to be observed in Internet reporting. This was apparent from discussions with the elite interviewees and, while they largely agreed the Internet had not been responsible for any change in their reporting routine, they had failed to take into account the additional complications posed by online publication. These are likely to become more apparent if some of the problems facing the control of online reporting are solved and the Internet develops as a credible and forceful reporting medium.

7.9 Audience differences

Just as significant is the need for traditional and online journalists to cater for the needs of their respective audiences. Research has shown that differences relate not only to the individuals themselves, but also to their habits and reasons for accessing news. To date, a number of online sites hosted by traditional media simply carry ‘shovelware’ on their sites, a practice that will need to be addressed as those sites develop. Because of the different way in which the online audience read information, ‘shovelware’ is not a long term solution and the instituting of tailored reporting on the Internet will have a bearing on its parallel coverage in traditional media.

This thesis referenced literature of pre-Internet theorists in media and adopted certain facets of their schema. In looking at the Internet era, the researcher found insights that re-confirmed the concepts put forward by Ericson et al, as well as Grabosky and Wilson, but extended them into the Internet age and demonstrated coverage on the Internet has strong similarities and also strong differences in its reportage of crime and criminal justice. Similarities can be found in certain traditional representations of news and adherence to fundamental elements of newsworthiness. Differences exist in the importance afforded to some news values such as proximity and timeliness, as well as in the areas influenced by technology, such as immediacy and research.

Although made considerably smaller by the results of this study, the gap still exists in the media, crime and Internet intersection. It is to be hoped that further research will narrow the

gap even further and reveal the full extent of the impact of the Internet on the reporting of crime and criminal justice in traditional media.

7.10 Further research

A number of issues arose suggesting the desirability of further research. Some were not related directly to the research questions of this thesis, but nevertheless warranted investigation.

- The need for hyperlocal reporting in community media in the light of the reach of the Internet deserves more investigation. As local communities are familiar with international reports of crime, from where do they obtain this information? If their community publications do not include such coverage, as stated by a community publication respondent in this study, they must access it either through other traditional media, or satellite television, or the Internet.
- An obvious need for training in Internet awareness and practice emerged from discussions with the interviewees. This would have a marked effect on the attitude demonstrated towards the Internet by some traditional journalists and would be likely to minimise their fear of this new technology.
- The McCombs and Shaw agenda-setting theory with its extension of framing was shown to be less effective online than in traditional media. Consequently, its concept and application would benefit from further research and updating in the context of Internet reporting.
- The place of blogs and citizen journalism in the journalistic mix has yet to be determined, as has that of social networking. While all are indicative of the public's desire to be part of the newsmaking process, further study of how they can be assimilated in an acceptable and credible fashion would be well worthwhile. These newsgathering activities are welcomed by the media for their immediacy and human interest, but they also carry the danger of jeopardising the professional standards aspired to by most reputable outlets, online and in traditional media. Similarly, the

latest networking development, Twitter, shows signs of venturing into the journalism arena. This was demonstrated recently in relation to the Victorian bush fires and Mark Day (2009) wrote in *The Australian*: “Twitter is receiving serious attention for another use: news reporting” and a journalism from the same publication filed “Twitter reports”, picked up by newsrooms keen to obtain up-to-date information. Whether this form of filing stories becomes the norm for reporters in the field remains to be seen, but it certainly scoops even the Internet for immediacy.

- Ethical codes and jurisdiction have not been fully understood or explored in the context of the Internet and the reporting of crime and criminal justice.

Results of this study have opened the door to a hitherto unexplored area of research and yielded valuable data relating to current reporting of crime and criminal justice, as well as a selection of issues meriting further investigation. The media, crime and Internet nexus remains one whose surface to this point has barely been scratched. It is hoped the results of this research will serve to encourage further exploration in the field, exploration which will enrich the reporting of crime and criminal justice in both traditional media and the Internet.

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APPENDICES

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4. Library of Congress classification.
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7. Schapelle Corby Tours.
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APPENDIX 1: THE CASE AGAINST MICHAEL JACKSON

<http://www.thesmokinggun.com/archive/010605jackson.html>

The Smoking Gun®

THE CASE AGAINST MICHAEL JACKSON



EXCLUSIVE

PAGE 1 OF 5 | 1 2 3 4 5

The Predator

Boys detail lurid acts of alleged sexual abuse in sealed court, police, grand jury records

JANUARY 6--While jury selection is scheduled to begin later this month, specific details of the criminal molestation case against Michael Jackson have been shrouded through a judicial gag order, heavily redacted legal filings, sealed court proceedings, and other secrecy measures. But now, for the first time, The Smoking Gun has compiled an authoritative, behind-the-scenes account of the prosecution's case against the King of Pop, who was indicted last April on ten felony counts for the alleged sexual abuse of a Los Angeles boy in early 2003. This story (and the ones linked at right) are based on a review of confidential law enforcement and government reports, grand jury testimony, and sealed court records provided to TSG by sources.



Jackson and his accuser in the 2003 Bashir documentary

If the harrowing and deeply disturbing allegations in these documents are true, Jackson is a textbook pedophile, a 46-year-old predator who plied children with wine, vodka, tequila, Jim Beam whiskey, and Bacardi rum. A man who gave boys nicknames like Doo Doo Head and Blowhole and then quizzed them about whether they masturbated and if "white stuff" came out. A man who conducted drinking games with minors and surfed porn with them on a laptop in his Neverland Ranch bedroom, noting that if anyone asked what they were looking at, the kids should just say they were watching "The Simpsons." A man who frequently talked sex with his little companions and explained that "boys have to masturbate or they go crazy." A man who told one pajama-clad boy that he wanted to show him how to "jack off." When the tipsy child declined the demonstration, Jackson announced, "I'll do it for you," and buried his hand in the boy's Hanes briefs, size small. And a man who emphasized to his little friends that these activities were "their little secret" and should not be disclosed to anyone, even if a gun was at their head.

EXCLUSIVE

SANTA BARBARA, CALIFORNIA, TUESDAY, MARCH 11, 2003, 10:00 AM

READ THE GRAND JURY TRANSCRIPT

CLICK HERE

NOT GUILTY

JUNE 13--In a stunning and sweeping victory for Michael Jackson, a California jury today acquitted the singer of charges that he molested a teenage cancer survivor and conspired to falsely imprison the boy and his family at his sprawling Neverland Ranch estate.

[FULL STORY »](#)

Jay Leno Bombs On Stage

MAY 24--Despite his positioning as a crucial defense witness in the Michael Jackson case, comedian Jay Leno today fired a blank on the witness stand, testifying that he was never asked for money when contacted five years ago by the Los Angeles teenager at the center of the current child molestation prosecution.

[FULL STORY »](#)

Culkin Denies Jacko Abuse

MAY 11--Ending months of speculation and anticipation, Macaulay Culkin took the witness stand in the Michael Jackson trial this morning and forcefully denied that the entertainer ever molested him, terming those claims "absolutely ridiculous."

[FULL STORY »](#)

Case Hits The Skids

APRIL 21--Just when you thought the Michael Jackson case couldn't possibly get any sleazier, things have now officially hit the slippery slope. Literally. In a legal motion released late yesterday, prosecutors disclosed that they are seeking to present jurors with testimony from a former employee that involves a jar of Vaseline, an "aroused" King of Pop, and a teenage boy in the singer's



District Attorney
Tom Sneddon

The heart of the Jackson prosecution rests largely on accounts provided to investigators by the teenage boy, his younger brother, older sister, and the children's mother (at the time of the alleged molestation, the victim, who had been diagnosed with a rare cancer in 2000, was 13, his brother was 12, and their sister was 16). In the documents reviewed by TSG, the brothers appear a potent one-two punch of first-hand accounts of alleged Jackson misdeeds. They

corroborated many of each other's lurid stories, providing the Santa Barbara Sheriff's Department and District Attorney Thomas Sneddon with a stereophonic sleaze compendium.

While their sister did not witness any sexual abuse--nor was she ever invited to stay in Jackson's bedroom--she told investigators that the entertainer provided her and her brothers with wine at Neverland and also said that her siblings each confided in her about Jackson's explicit sex talk. The older boy, she said, told her that Jackson gave them tequila and Skyy vodka and asked her not to tell their parents about his drinking (Jackson, the boys reported, often concealed the pair's wine (a/k/a "Jesus Juice") in cans of Diet Coke and Sprite). In addition, she told detectives that the older boy said Jackson would touch his behind outside his clothes, something that made her brother feel uncomfortable.

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According to the documents, the children's mother is a critical witness to the alleged conspiracy to imprison her family at Neverland in the wake of the February 2003 broadcast of "Living with Michael Jackson," the devastating Martin Bashir documentary. It was during that program that Jackson admitted--and strongly defended--sleeping with boys. At one point in the documentary--which first aired in England on February 3 and then in the U.S. three days later--the performer is seen with the 13-year-old accuser, who rests his head on Jackson's shoulder and talks glowingly about the singer. The woman contends that Jackson and several business associates began illegally scheming to keep her family caged up at Neverland the day after the Bashir documentary aired on Great Britain's ITV.



Jackson strolls with Martin Bashir

king of pop, and a teenage boy in the singer's bedroom.

[FULL STORY »](#)

D.A.'s Sleazy Witness

APRIL 4--In a bid to convince jurors that Michael Jackson sexually molested Macaulay Culkin and screened X-rated movies for other boys visiting Neverland Ranch, prosecutors are expected to soon call as a government witness a Los Angeles man who has described himself as the "master authority" on Internet porn.

[FULL STORY »](#)

The Jackson 5

MARCH 28--In a significant legal setback for Michael Jackson, a judge ruled today that Santa Barbara prosecutors can present jurors with evidence that the performer previously molested five young boys.

[FULL STORY »](#)

Prosecution Witness In Stir

MARCH 23--Michael Jackson's former bodyguard, expected to be a key witness in the singer's child molestation case, was arrested in Las Vegas last month on robbery, burglary and kidnapping charges.

[FULL STORY »](#)

The Psychologist

Santa Barbara prosecutors can present jurors with evidence that the performer previously molested five young boys.

[FULL STORY »](#)

Prosecution Witness In Stir

MARCH 23--Michael Jackson's former bodyguard, expected to be a key witness in the singer's child molestation case, was arrested in Las Vegas last month on robbery, burglary and kidnapping charges.

[FULL STORY »](#)

The Psychologist

The Psychologist

MARCH 15--Michael Jackson "doesn't really qualify as a pedophile. He's really just this regressed 10-year-old." That was the surprising evaluation offered to police by Dr. Stanley Katz, the Los Angeles child psychologist who interviewed the singer's teenage accuser and the boy's brother--and who is expected to soon testify as a government witness at Jackson's molestation trial.

[FULL STORY »](#)

Boys Don't Lie?

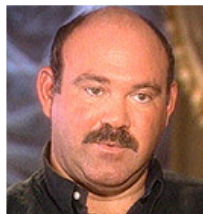
MARCH 7--With their sister already struggling on the witness stand, the Los Angeles brothers at the heart of the molestation case against Michael Jackson are now waiting in the wings, with their anticipated testimony appearing more crucial than ever.

[FULL STORY »](#)

Though Jackson is the only person charged in connection with this purported plot, five of his business associates were identified as unindicted co-conspirators in the performer's heavily redacted April 2004 indictment. Aides Frank Tyson and Vincent Amen, business managers Dieter Wiesner and Ronald Konitzer, and video producer Marc Schaffel are accused of helping Jackson orchestrate the conspiracy, which included plans to ship the family off for safekeeping in Brazil. Family members were repeatedly told by the Jackson camp that the foreign move was necessary because numerous death threats had been directed at the family, according to investigative records.

In a bid to buttress the conspiracy claim, prosecutors elicited grand jury testimony from several Jackson associates, most of whom dealt with the family post-Bashir. Those witnesses included Neverland employees like security chief Jesus Salas, guards Christopher Carter and Brian Barron, public relations aide Ann Gabriel, and Schaffel cohort Christian Robinson, who testified with limited "use immunity" about the filming of the family's so-called rebuttal statement, a videotape they later told detectives they were strong-armed into making.

Also, as they did during last year's grand jury presentment, prosecutors will display items seized from Jackson's ranch during a November 2003 court-authorized raid. Agents went in searching for pornography, underwear, and any material--photos, correspondence, etc.--further linking Jackson to the alleged victim. They left with more than they could have expected, netting items corroborative of the accounts provided to them by the two boys.



Marc Schaffel in ABC News interview

The children's 36-year-old mother is, of course, a principal target of the Jackson defense team, which views her as a scheming grifter who has fabricated the abuse accounts, programmed these tawdry tales of masturbation and soiled underwear into her children, and, despite assertions that she is not chasing money, is expecting some kind of future financial windfall. The confidential law enforcement records also document how the family's story changed shortly after the mother hired legal counsel in mid-2003. Until that point, the family had vehemently denied any improprieties by Jackson in interviews with Los Angeles child welfare officials and Santa Barbara Sheriff's deputies. And they sang Jackson's praises in the rebuttal videotape shot by Schaffel's film crew two weeks after the Bashir documentary aired on ABC's "20/20." In addition, Jackson's lawyers have pointed out that, according to Sneddon, the alleged conspiracy to silence the family began more than two weeks before the first molestation incident is alleged to have occurred. The cover-up, Team Jackson argues, began before any crimes occurred.

[NEXT PAGE --](#)

PAGE 1 OF 5 | 1 2 3 4 5

The Openings

FEBRUARY 28--TSG staffers will be reporting live from the Santa Maria courthouse with up-to-the-minute accounts of opening statements delivered by Santa Barbara District Attorney Tom Sneddon and Jackson lawyer Thomas Mesereau.

[FULL REPORT »](#)

Sex Education

FEBRUARY 27--The Los Angeles boy who has accused Michael Jackson of molestation told investigators that the singer was a naif when it came to "the birds and the bees," claiming that his alleged abuser "didn't know much. I knew more than he did."

[FULL STORY »](#)

The Witnesses

FEBRUARY 17--While the sexual molestation case against Michael Jackson relies heavily on the lurid and highly detailed accounts provided by the alleged teenage victim and his younger brother, a Santa Barbara grand jury last year heard testimony from other key witnesses--several of whom worked closely with the embattled singer--that appears to corroborate many key aspects of the children's accounts of their troubling relationship with Jackson.

[FULL STORY »](#)

Search. And Destroy?

FEBRUARY 17--In addition to valuable items of evidence seized from Michael Jackson's Neverland Ranch, investigators also hit major paydirt while executing search warrants at the home of a business associate of the singer and the Beverly Hills office of a private investigator working for Jackson, according to sealed court records reviewed by TSG.

[FULL STORY »](#)

Topless Photos

FEBRUARY 17--During a November 2003 press conference called to announce criminal charges against Michael Jackson, Santa Barbara investigators were asked about the prospect of additional victims besides the Los Angeles boy who had accused the entertainer of molestation. Sheriff Jim Anderson replied, "Yes, there is that possibility and we would encourage the public to come forward if they have any information" about similar sexual assaults.

[FULL STORY »](#)

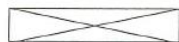
More "Jesus Juice" Troubles

JANUARY 13--Two New Jersey children were served alcohol by Michael Jackson during an early-2003 visit to the singer's Neverland Ranch, according to police interviews with the California boy who has accused Jackson of sexual molestation.

[FULL STORY »](#)

APPENDIX 2: LACI PETERSON CASE INFORMATION

A Summary of the People, the Events, and the Places and the Things
That Define the **Laci Peterson** Investigation and the Case of the Century:
The People of the State of California v. Scott Lee **Peterson**



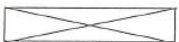
A Comprehensive Who's Who Including More Than a Thousand Categorized Entries
With Capsule Biographies of Those With Direct Links to the Case



Thorough Lists of Evidence, Important Landmarks, Related Businesses,
Preliminary Hearing Transcripts, Other Legal Documents and Lots More



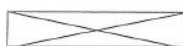
Important Dates Prior to **Laci** Peterson's Disappearance; a Timeline for December 24, 2002;
and a Day-by-Day Account of the Investigation and Trial



An Annex to the Primary Who's Who, With Hundreds More Entries
and Relevant Quotes From Those on the Periphery of the Case



A Collection of Observations About the Case
by Legal Experts Following the Events



A Thorough Bibliography of the Major Sources of Information for the Site,
Including Local, Regional and National Print and Broadcast Media



The Most Comprehensive Concise List of **Laci** and Scott **Peterson** Links Anywhere,
From the Solemn to the Wacky, From the Official to the Speculative

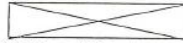


Credit Where It Is Due to the Many Individuals Who Contributed
to This Site, and Hats Off to CrimeNews2000, Which Made It Possible



Frequently-Asked Questions About The **Laci Peterson** Case Information Site
(Oh, There Are Answers, Too!)

<http://209.85.175.132/search?q=cache:h5Mun15Lg1gJ:64.33.6.241/lacipeterson/index....> 3/02/2009



The CrimeNews2000 **Laci Peterson** Discussion Board:
An Archive of Theories and Information About the Case

IMPORTANT NOTICE

The information on these pages is provided for reference only. Please do not contact or attempt to contact anyone listed. For the most part, those listed are just ordinary persons who have been touched in one way or another by this tragedy. They are not characters in a crime novel; they walk and talk, have families and jobs, love and fear and hurt. I ask you to especially respect the privacy of those most devastated by this tragedy, the family of **Laci Peterson**. If you feel you must do something, please consider how you can be part of the solution and not part of the problem. Express your condolences or provide your thoughts through one of the many channels that have already been set up: Sign the [guestbook](#) at the **Laci Peterson** web site (www.lacipeterson.com) or contribute to the **Laci Peterson** Fund, the **Laci Peterson** Scholarship Fund or one of the groups working to help victims or find the missing. The addresses for the **Laci Peterson** Fund and the **Laci Peterson** Scholarship Fund are listed on the [FAQ](#) page of this site. Thank you.

The information on this site was gathered from dozens of sources and cross-checked. All information is believed to be accurate but is not guaranteed to be accurate. Some information was withheld at the request of individuals listed because of safety concerns or other valid reasons. Additions and corrections may be sent to Gina at lifeboatparty@hotmail.com.

This information is copyrighted by the author. Information may be freely distributed for informational and educational purposes but is not to be used for any commercial purposes and should also not be copied and claimed to be original work regardless of use. Requests for use may be sent to Gina at lifeboatparty@hotmail.com.

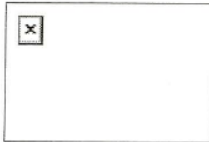
Laci and Conner **Peterson** have been found, and their killer brought to justice, but there are many other stories that need to be told. If you have information on a missing person, contact your local police or sheriff's department. The following agencies offer information on missing persons or assistance for their families:

- [A Child Is Missing](#)
- [Missing Angels](#)
- [Carole Sund/Carrington Memorial Reward Foundation](#)
- [Code Amber](#)
- [FBI Missing Persons Investigations](#)
- [Lost Children's Network](#)
- [Missing Persons Cybercenter](#)
- [National Center for Missing Adults](#)
- [National Center for Missing and Exploited Children](#)
- [Nation's Missing Children Organization](#)
- [Polly Klaas Foundation](#)
- [Project Jason](#)
- [Rino Kids Missing Person Information](#)
- [Wings of Protection](#)

Search this site or the World Wide Web with the world's best and most popular free search engine, Google.



☐ WWW ☒ **Laci Peterson** Case Information site (www.crimenews2000.com)



84,940

[Donate](#)



This site was last updated on January 5, 2006. ©2003–2005 **The Lifeboat Party**.

This is Google's cache of <http://64.33.6.241/lacipeterson/index.htm>. It is a snapshot of the page as it appeared on 30 Aug 2008 06:31:10 GMT. The current page could have changed in the meantime. [Learn more](#)

These search terms are highlighted: **laci peterson** These terms only appear in links pointing to this page: **crimenews**

APPENDIX 3: DEWEY DECIMAL CLASSIFICATION (DDC) SYSTEM

The Ten Main Classes		The Hundreds Divisions		The Thousands Sections	
000	Computers, information and general reference				
100	Philosophy & psychology				
200	Religion				
300	Social sciences	310	General statistics		
400	Language	320	Political science		
500	Science	330	Economics		
600	Technology	340	Law		
700	Arts & recreation	350	Public administration		
800	Literature	360	Social services, association		
900	History & geography	370	Education	361	Social welfare & social problems in general
		380	Commerce, communications, transport	362	Social welfare problems & services
		390	Customs, etiquette, folklore	363	Other social problems & services
				364	Criminology
				365	Penal & related institutions
				366	Associations
				367	General clubs
				368	Insurance
				369	Miscellaneous kinds of associations

APPENDIX 4: U.S. LIBRARY OF CONGRESS CLASSIFICATION SYSTEM

- A -- GENERAL WORKS - WP version
- B -- PHILOSOPHY. PSYCHOLOGY. RELIGION - WP version
- C -- AUXILIARY SCIENCES OF HISTORY - WP version
- D -- WORLD HISTORY AND HISTORY OF EUROPE, ASIA, AFRICA, AUSTRALIA, NEW ZEALAND, ETC. - WP version
- E -- HISTORY OF THE AMERICAS - WP version
- F -- HISTORY OF THE AMERICAS - WP version
- G -- GEOGRAPHY. ANTHROPOLOGY. RECREATION - WP version
- H -- SOCIAL SCIENCES - WP version
- J -- POLITICAL SCIENCE - WP version
- K -- LAW - WP version
- L -- EDUCATION - WP version
- M -- MUSIC AND BOOKS ON MUSIC - WP version
- N -- FINE ARTS - WP version
- P -- LANGUAGE AND LITERATURE - WP version
- Q -- SCIENCE - WP version
- R -- MEDICINE - WP version
- S -- AGRICULTURE - WP version
- T -- TECHNOLOGY - WP version
- U -- MILITARY SCIENCE - WP version
- V -- NAVAL SCIENCE - WP version
- Z -- BIBLIOGRAPHY. LIBRARY SCIENCE. INFORMATION RESOURCES (GENERAL) - WP version

Subclass H Social sciences (General)

- Subclass HA Statistics
- Subclass HB Economic theory. Demography
- Subclass HC Economic history and conditions
- Subclass HD Industries. Land use. Labor
- Subclass HE Transportation and communications
- Subclass HF Commerce
- Subclass HG Finance
- Subclass HJ Public finance
- Subclass HM Sociology (General)
- Subclass HN Social history and conditions. Social problems. Social reform
- Subclass HQ The family. Marriage. Women
- Subclass HS Societies: secret, benevolent, etc.
- Subclass HT Communities. Classes. Races
- Subclass HV Social pathology. Social and public welfare. Criminology
- Subclass HX Socialism. Communism. Anarchism

HV1-9960 Social pathology. Social and public welfare. Criminology

- HV6001-7220.5 Criminology
- HV6035-6197 Criminal anthropology
Including criminal types, criminal psychology, prison psychology, causes of crime
- HV6201-6249 Criminal classes
- HV6250-6250.4 Victims of crimes Victim logy
- HV6251-6773.5 Crimes and offenses
- HV6774-7220.5 Crimes and criminal classes
- HV7231-9960 Criminal justice administration
- HV7428 Social work with delinquents and criminals
- HV7431 Prevention of crime, methods, etc
- HV7435-7439 Gun control
- HV7551-8280.7 Police. Detectives. Constabulary
- HV7935-8025 Administration and organization
- HV8031-8080 Police duty. Methods of protection
- HV8035-8069 Special classes of crimes, offenses and criminals
- HV8073-8079.35 Investigation of crimes. Examination and identification of prisoners
- HV8079.2-8079.35 Police social work
- HV8079.5-8079.55 Traffic control. Traffic accident investigation
- HV8081-8099 Private detectives. Detective bureaus
- HV8130-8280.7 By region or country
- HV8290-8291 Private security services
- HV8301-9920.7 Penology. Prisons. Corrections
- HV9051-9230.7 The juvenile offender. Juvenile delinquency. Reform schools, etc.
- HV9261-9430.7 Reformation and reclamation of adult prisoners
- HV9441-9920.7 By region or country

APPENDIX 5: PARLIAMENT OF AUSTRALIA TERRORISM LAW

CLASSIFICATION pp 1-3

<http://www.aph.gov.au/library/intguide/law/terrorism.htm>



[Law Internet Resources](#)

Terrorism Law

This guide contains links to Internet resources and documents in the area of anti-terrorism law. Emphasis is on Australian federal (Commonwealth) legislation. Links to Australian State and Territory legislation are also given, as well as significant overseas resources.

- [Australia](#)
- [International Law](#)
 - [Terrorism Treaties](#)
- [Europe](#)
- [Canada](#)
- [New Zealand](#)
- [United Kingdom](#)
- [United States](#)
- [Other Countries](#)
- [Guides to Terrorism Resources on the Internet](#)

AUSTRALIA

- [Federal legislation](#)
 - [Chronology of Legislative and Other Legal Developments since 11 September 2001 to December 2007](#) (including a list of Federal legislation relating to terrorism as at 11 September 2001)
- [Terrorism Court Cases](#)
- [State and Territory legislation](#)
- [Miscellaneous Information](#)
- [Publications](#)

Federal Legislation

Current anti-terrorism legislation includes the following:

- [Criminal Code Act 1995](#)

The main terrorism legislation made after 11 September 2001 is now contained in this Act at Schedule 1, Part 5.3 (Terrorism), divisions 100-103. Incitement to criminal acts (including incitement to terrorism) is contained in Part 2.4 of the Criminal Code

 - Related Documents: [Bill & Explanatory Memorandum](#); [Bills Digest](#); [Parliamentary Committee Report](#)
- [Criminal Code Regulations 2002](#)

These contain the list of proscribed (banned) terrorist organisations (in Schedule 1).

 - Related Documents: [Explanatory Statement](#) (to the first listing made under Regulations); [Parliamentary Committee reports on banned terrorist organisations](#)
- [Crimes Act 1914](#)

Part 1AA, Division 3A: Powers to stop, question and search persons in relation to terrorist acts
Division 4B--Power to obtain information and documents in terrorism investigations
Part 1AE: Video link evidence in proceedings for terrorism offences
Section 15AA: Bail not to be given for terrorist offences.
Section 19AG: Non-parole periods for terrorist offenders.
Part 1C, Division 2: Powers of arrest for terrorist suspects.
See also Part II: Offences against Government & Part IIA: Unlawful associations
- [Charter of the United Nations \(Terrorism and Dealings with Assets\) Regulations 2002](#)

These provide for a [list of terrorist organisations](#) with which financial dealings are restricted (freezing of assets etc) made under Regulation 8.

 - Related Documents: [Explanatory Statement](#)
- [Australian Security Intelligence Organisation Act 1979](#)

Sections 34A+ deal with ASIO's special powers relating to terrorism offences

 - Related Documents: [Bill](#); [Explanatory Memorandum](#); [Supplementary EM](#); [Bills Digest](#); Parliamentary Committee Reports: [LALC](#); [PJCAAD](#); [Scrutiny of Bills](#)
 - [ASIO Protocol to Guide Warrant Process](#) (issued August 2003)
- See also [Suppression of the Financing of Terrorism Act 2002](#), [Border Security Legislation Amendment Act 2002](#), [Telecommunications Interception Legislation Amendment Act 2002](#), which were introduced after 11 September 2001 (on 12 March 2002) and are amending acts.

Chronology of Legislative and Other Legal Developments from 11 September 2001 to December 2007 (including a list of Federal legislation relating to terrorism as at 11 September 2001).

This chronology details legislative and other legal developments at the federal level since 11 September 2001 until the change of Government in late 2007. Notable events are in red.

A summary of legislation is also available for 2001-mid 2005 in the Attorney-General's Dept 2005 Budget background paper [Security Environment Update](#). Scroll down to "Legislation". This is updated annually (see [Budgets](#) > [Date of budget] > Portfolio Budget Information Kit > Fact or Information Sheets. See also [regular reports submitted by the Government to the United Nations](#) on terrorism legislation.

- [Legislation introduced during 2007](#)
- [Legislation introduced during 2006](#)
- [Legislation introduced during 2005](#)
- [Legislation introduced during 2004](#)
- [Legislation introduced during 2003](#)
- [Legislation introduced during 2002](#)
- [Legislation introduced during 2001](#)
- [Federal legislation relating to terrorism as at 11 September 2001](#)

Legislation introduced during 2007

December 21

Second control order under terrorism legislation made [on David Hicks] ([Jabbour v Hicks \[2007\] FMCA 2139](#)) interim order; [\[2008\] FMCA 178](#) interim order confirmed). See also [Anti-terrorism control orders in Australia and the United Kingdom: a comparison](#) (2008)

September 20

[Communications Legislation Amendment \(Crime or Terrorism Related Internet Content\) Bill 2007](#) introduced.. Amends the Broadcasting Services Act 1992 to expand the 'black list' of internet addresses maintained by the Australian Communications and Media Authority to include terrorism and cyber crime websites hosted domestically and overseas. The Bill lapsed at the November election

August 2

High Court upholds the constitutional validity of control orders made under terrorism legislation ([Thomas v Mowbray \[2007\] HCA 33](#))

July 1

Terrorist car bomb attack on Glasgow Airport (UK). On 29 June 2 car bombs were defused in London. On 2 July Dr Mohamed Haneef was arrested in Brisbane and charged on 14 July with recklessly providing assistance (a mobile phone SIM card) to a relative later charged over the UK attacks. On 16 July, after being granted bail by a Brisbane magistrate, Dr Haneef has his 457 work visa revoked by the Immigration Minister and is held in detention pending his committal hearing on 31 August. On 27 July the Director of Public Prosecutions after reviewing the material withdraws the charge. The Immigration Minister returns Dr Haneef's passport and he returns to India to visit his family on 28 July. ([Minister for Immigration & Citizenship v Haneef \[2007\] FCAFC 203 \(21 December 2007\)](#))

June 21

[Classification \(Publications, Films and Computer Games\) Amendment \(Terrorist Material\) Bill 2007 \(Act no. 179, 2007\)](#) introduced. Referred to the [Senate Legal and Constitutional Committee](#) to report by 30 July. Amends the Classification (Publications, Films and Computer Games) Act 1995 to require that publications, films or computer games which advocate the doing of a terrorist act must be classified as 'refused classification'.

[Aviation Legislation Amendment \(2007 Measures No. 1\) Bill 2007 \(Act no. 131, 2007\)](#) introduced. Referred to the [Senate Standing Committee on Rural and Regional Affairs and Transport](#) for report by 30 July.

Amends the Aviation Transport Security Act 2004 and the Civil Aviation Act 1988 to align aviation security measures with maritime security measures; extends security measures to outside airport boundaries and implements drug and alcohol management plans for aviation personnel.

June 14

[Telecommunications \(Interception and Access\) Amendment Bill 2007 \(Act no. 177, 2007\)](#) introduced. [Exposure Draft](#) released February 2007. Referred to the [Senate Legal and Constitutional Committee](#) to report by 1 August. Implements the recommendations arising from the review of the regulation of access to communications and make other measures to improve the operational effectiveness of the Telecommunications (Interception and Access) Act 1979.

February 14

[Aviation Transport Security Amendment \(Additional Screening Measures\) Bill 2007 \(Act no. 30, 2007\)](#) introduced. Amends the Aviation Transport Security Act 2004 to make regulations to cover liquids, aerosols and gels and to allow for appropriate frisk searches at screening points.

Comments to: roy.jordan@aph.gov.au

Last reviewed 12 May, 2009 by the Parliamentary Library Web Manager

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Images courtesy of AUSPIC

APPENDIX 6: CONCEPTUAL MAP CHAPTER FOUR

	Main Categories	Sub-categories	Origin	Description	Findings/Theories
4.2	Technology: The Internet		Literature, together with findings of previous researchers and input from interviewees.	Investigates the different effects and impact of changes in technology on the process of reporting crime and criminal justice.	Digital developments have had a major impact on reporting in general, as well as reporting of crime and justice. Speed, access to legal documents and records, level of complexity were some of the issues raised by respondents.
4.3	News Values		Literature, with particular reference to Masterton's definitions, with input from respondents.	Examines traditional elements of newsworthiness, investigates whether their priorities have changed since the advent of the Internet.	Although majority of respondents identified their major news value as public interest, further research and analysis revealed a major impact by the Internet on several traditional news values.
4.3.1		Public Interest Involves people	Significant contributions of interviewees, together with Literature and work of previous researchers.	Differentiates between 'of interest to the public' and 'in the public interest' and explores some differences between publics of traditional and online media.	This aspect emerged as respondents' most notable news value.

4.3.2		Entertainment	Input from interviewees, together with Literature and work of previous researchers.	Examined the entertainment element present in the reporting of crime and criminal justice.	Interviewees agreed that news in general is becoming part of the entertainment arena. The media, crime and Internet nexus has been identified as a prime example of the linking of news and entertainment,
4.3.3		Sensationalism	As above	Investigated whether sensational and detailed online reporting influenced coverage in traditional media.	Respondents acknowledged 'shocking' qualities of crime in news coverage and generally retained long-held opinions regarding sensitivity in traditional reporting.
4.3.4		Proximity	As above	Examination of whether the priority or definition of this news value have changed with the arrival of online reporting.	Analysis revealed the Internet has had a significant impact on this news value, greatly reducing its level of priority.
4.3.5		Currency/ Timeliness	As above	Compares timeliness properties of traditional media with online equivalent, with particular emphasis on updating of	Many respondents reported for both online and traditional media and stated that, although technology gave the Internet the edge in this respect, its credibility was often

				stories.	compromised as a result.
4.4	Interactivity		Interviewees' responses in the light of increasing presence and impact of public participation in the news process and its growing impact.	Examines the impact of interactive websites on the selection and coverage of crime stories.	The importance of interactivity was a concern with some respondents, who had limited its effect by initiating gatekeeping processes.
4.5	Selection		Opinions expressed by individual respondents together with perspective shown in Literature.	Investigates in the context of newsworthiness and news values, to determine whether the Internet has been responsible for any significant change in the selection of stories for coverage in traditional media.	Although evidence showed that the presence of crime stories on the Internet had a definite bearing on their inclusion in news coverage, respondents attributed no serious consideration to Internet coverage.
4.5.1		Reasons for including crime	Interviewee responses plus Literature.	Explores respondents' reasons for including crime in their news coverage and its place in the general news mix.	Responses varied from public interest and demand to social responsibility.
4.6	Claims-makers		Question schedule data,	Assesses the importance of the	Although respondents

			responses and Literature.	Internet in locating spokespeople or authorities	acknowledged value of Internet in locating experts, most still preferred their traditional contacts.
4.7	Accuracy and verification		Input from respondents	Investigates the credibility of the Internet with journalists and editors and explores their means of verifying information obtained online.	Almost without exception, respondents expressed their suspicion of the accuracy and factual content of the Internet. A matter arising for discussion was the issue of the importance of credibility to the general public.
4.8	Research and resources		Input from respondents	Investigated ways in which respondents used the Internet for research purposes.	Most respondents agreed on the value of the Internet as a source of background material, but few made use of general websites, particularly those relating to crime. The opinion was that information would be trusted if it came from a reliable source, usually another media outlet online.

4.8.1		Attribution	Input from interviewees.	Ascertaining whether journalists and editors in traditional media attribute their sources to the Internet when applicable.	There was reluctance on the part of some respondents to cite the Internet as a reference in their publications, a reluctance they rationalized by explaining the same information would probably have also been accessible elsewhere.
4.9	Audiences		Emerged from data gathered from responses, together with survey and subsequent literature.	Searches for major differences relating to audiences of online and traditional media.	Two major areas of difference emerged from respondents.
4.10	Production and life expectancy.		Emerged from interviewee responses and analysis.	Examines the influence of the Internet on production issues.	The main issue to emerge was the increased life expectancy of news stories online.
4.11	Writing Style		Major literature sources and data from responses.	Investigates whether writing style had changed to take into account online reporting and audiences.	Only two respondents acknowledged the need to adapt their writing style.

4.12	Conflict		Input from respondents, with some reference to Literature.	Investigates the influence of the Internet in relation to conflict as a news value.	Despite being a traditional element of newsworthiness, particularly in crime reporting, this topic received little mention by interviewees.
4.13	Social responsibility		Contributions from interviewees, with some reference to literature and work of previous researchers	Explores the crucial 'Fourth Estate' principles underscoring the raison d'être of journalism and investigated whether the Internet had influenced these principles.	Some interviewees acknowledged the media's responsibility in keeping the public informed of issues relating to crime and criminal justice. The question of whether the Internet could play a significant part in changing or expanding this responsibility is an important aspect for future consideration.
4.14	Legal issues		Responses from elite interviewees, together with some findings of previous researchers..	Introduces the concept of legal and ethical elements underpinning the reporting of crime and criminal justice and the constraints imposed upon practising journalists and editors.	Although the Internet has introduced new legal and ethical considerations, respondents largely considered themselves bound by the same constraints as previously. No suggestions were offered for regulating the Internet.

4.15		Jurisdiction	Input from interviewees, with some reference to literature and work of previous researchers.	Focuses on the complex issue of jurisdiction in the Internet era, with reference to the <i>Dow Jones v Gutnick</i> (2000) case in the Supreme Court of Victoria.	The influence of the Internet was acknowledged by most respondents, who paid attention to blocking access to problematic information in selected states. However, public comment online was cited as a particular problem in this regard and is an important issue needing to be addressed.
4.16		Ethics	Contributions from respondents, with some references to literature and work of previous researchers.	Influences of the Internet upon the ethical practices of journalists and editors when reporting crime and criminal justice.	Opinions were divided on whether the Internet had influenced ethical considerations when reporting crime and criminal justice. Public comment online was again singled out as a problem area.

APPENDIX 7: SCHAPELLE CORBY TOURS

<http://www.schapellecorbytours.com/>



My name is Eddie Hutaaruk and I have been running tours in Bali for over 8 years. Schapelle Corby Tours is our latest venture, and is fully respectful of Schapelle and her situation.

For further information or suggestions, email me at: tourinfo@schapellecorbytours.com

SCHAPELLE CORBY is a convicted Australian drug runner, and my tours allow people to see Schapelle in her cage at Kerobokan Prison in Bali. Tours can be arranged for most days of the week and pick-up is possible from most Bali hotels.

AVAILABLE TOURS



Photo Tour (between 1:00 pm and 5:00 pm)

Have your photo taken in front of Schapelle in her cage. Small gifts can be given to Schapelle to encourage her to pose and smile in your photos.



Feeding Time Tour (starts at 12 noon or 6:00 pm – and lasts for 1 hour)

Watch Schapelle being fed at either lunch or dinner. Optional extra: for just \$10 AUD more you can feed Schapelle yourself – watch her face light up as you throw various pieces of food to her.



Up Close Tour (between 1 pm and 5 pm)

Actually get inside Schapelle's cage, and spend up to 30 minutes just metres away from her. This tour is recommended if you want to take up-close photos of Schapelle, or if you want to try and talk to her on a personal level. For safety reasons Schapelle must be chained up during all cage visits, and should not be approached under any circumstances.



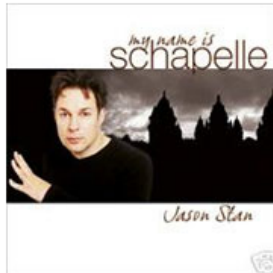
All Day Tour (from 7:00 am to 6:30 pm)

This tour allows you to observe Schapelle's entire day, starting from her wake up call at 700 am. Optional extra: For just \$10AUD more you can personally ring the wake up alarm to start Schapelle's day. Observation chairs are provided, as well as food and drinks throughout the day. We respect Schapelle's privacy – so the day finishes at 6.30pm to allow Schapelle to return to her bedroom.

IS SCHAPELLE INNOCENT OR GUILTY ?

If you think Schapelle is INNOCENT

Buy this idiot's CD and raise \$1 to help Schapelle.



If you think Schapelle is GUILTY

Click on our sponsor's link here and raise 5 cents to help me. (nothing goes to Schapelle)

Advertise here
and help poor me
AU\$250 / 3 months
Over 80,000 unique visitors per month!

ADDITIONAL INFORMATION

Book a Tour

To arrange a Schapelle Corby tour:

- send an email to mailto:tourinfo@schapellecorbytours.com; or
- call on +62 - 361 78495; or
- visit a local tourism office or agency here in Bali.

Tour Tips

- Hotel pick-ups are made 30 mins to 1 hour prior to times stated above. Please be ready for pick up at the organised time, as delays may result in tour highlights being missed.
- Although it is almost certain that you will see Schapelle on the tour, sightings cannot be guaranteed – if Schapelle is sick, she may not be on display.
- Please do not hit the bars of Schapelle's cage to get her attention as you may annoy other people on the tour.
- Food and gifts may be given to Schapelle, however, all gifts are subject to prison staff approval.

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Best Value Hosting Ads Coupons 3 Free
Domain, 15 Dedicated Ip
Your Ad Here!
BIDVERTISER ADS

APPENDIX 8: JONBENNET RAMSEY MURDER

<http://www.acandyrose.com/crimescene-thebody.htm>

**Because of the disturbing nature of some photographs on this website, the researcher has chosen not to show them here.*



A Personal view of the Internet Subculture
Surrounding the JonBenet Ramsey Murder case

The
Virtual
World

Timeline, Forums, News, Photos, Audio, Vigils, Victims, Parody, Links,
Harassment, Hacking, Get Togethers, Forum Wars, Poster Wars, Live Chats,
Radio Shows, Egos, Hoaxes, Secrets, Flaming, Deaths, Dedications, Transcripts,
Books, Hats, Truth/Lies, Virtual Tours, Pro/Anti Rams

Way
Beyond
the
Picket
Fence

WARNING - WARNING - WARNING Autopsy Photos - Graphic

JonBenet Ramsey Murder - December 26, 1996
Crime Scene - The Body
755 15th Street, Boulder, Colorado

About the Crime Scene Photographs

2000 March 27 Larry King Live
Interview with John and Patsy
Ramsey

Larry King: If it was a pedophile, was
your daughter sexually abused?

Patsy Ramsey: I don't believe there is
conclusive evidence of that.

John Ramsey: We don't know.

KING: Have you talked to them about --
do they send you the autopsy reports?

John Ramsey: No, no.

Patsy Ramsey: No.

John Ramsey: We've -- the police have
not talked to us at all. We don't know
what's been done.

Larry King: Well, they have questioned
you, right?

Items removed with the body

Items recovered from the body include: "Green
(?), Green flakes, Trace evidence, Piece of
paper, White fiber, Hairs/fibers, White cord,
White long sleeve shirt, White long sleeve
underwear bottoms, Panties with floral print,
White ligature, Gold colored necklace with cross,
Gold colored ring, Gold colored bracelet,
Black/red/white hairtie, Blue hairtie, hairtie"

Monday, July 14, 1997 Coroner's Report

Appeal from the District Court of Boulder County,
State of Colorado, to the Colorado court of
Appeals. Opinion issued & judgment entered
June 02, 1997, before Chief Judge Sternberg,
Hume and Plank, JJ. COURT OF APPEALS,
STATE OF COLORADO 2 East Fourteenth
Avenue, Suite 300 Denver, Colorado 80203
(303) 837-3785

MANDATE
Court of Appeals No. 97CA0891 Trial Court No.
97CV133

JOHN E. MEYER, M.D. AS CORONER OF
BOULDER COUNTY V ABC., INC.; BOULDER
PUBLISHING, INC.; CBS, INC.; DENVER POST
CORPORATION; LEHMAN
COMMUNICATIONS, INC.; NBC, INC.; AND

<http://www.acandyrose.com/crimescene-thebody.htm>

31/07/2009

Larry King: But they haven't told you anything about -- you have not seen the death certificate?

John Ramsey: No.

Patsy Ramsey: No.

Larry King: You don't know how your daughter died?

Patsy Ramsey: Well, we do.

John Ramsey: We do.

Patsy Ramsey: From what we...

John Ramsey: She was strangled.

Larry King: That's the cause of death, strangulation?

John Ramsey: That's the cause of death.

Larry King: But you don't know if any sexual activity took place?

John Ramsey: It's not clear to me that there was. We don't know. It's one of those questions you don't want to know the answer to, frankly.



Tabloid Photograph
JonBenet Ramsey (Artist Rendition)

03-17-2000 ABCNEWS 20/20 -Barbara Walters Special Interview with John and Patsy Ramsey

Barbara Walters: "Why wasn't the body exhumed?"

John Ramsey: "(PAUSE) Don't know why the Police didn't consider that. Uh we were asked when this theory first surfaced about a Stun gun that if the body were exhumed it could be proved conclusively but it had to be done fairly quickly. This was within months of when we'd just buried JonBenet. And I, as her father, could not bring myself to do that. I had laid my child to rest. She was at peace. And that was a that decision I couldn't make."

Barbara Walters: "Even though it might have cleared you?"

ordered that the Order of said Court is AFFIRMED.

Date: July 14, 1997
PATRICK STANFORD, Clerk of the Court
By: Deputy Court Clerk

COURT OF APPEALS
STATE OF COLORADO
Certified to be a full, true and correct copy.
DATE: July 14, 1997
Clerk of the Court of Appeals
By: Catherine Cunningham
Deputy Clerk

SUPREME COURT, STATE OF COLORADO
CASE NO. 97SC471
CERTIORARI TO THE COLORADO COURT OF APPEALS,
97CA0891 DISTRICT COURT, BOULDER COUNTY,
97CV133

ORDER OF COURT

JOHN E. MEYER, M.D., as coroner of Boulder County,
Petitioner,

v.

ABC, INC.; BOULDER PUBLISHING, INC.; CBS, INC.;
DENVER POST CORPORATION; LEHMAN
COMMUNICATIONS, INC.; NBC, INC.; AND MCGRAW-HILL
BROADCASTING, INC., d/b/a KMGH TV, Intervenor-
Respondents.

Upon consideration of the Petition for Writ of Certiorari to the Colorado Court of Appeals, and after review of the record, the briefs, and the judgment of said Court of Appeals, IT IS THIS DAY ORDERED that said Petition for Writ of Certiorari shall be, and same hereby is, DENIED.

BY THE COURT, EN BANC, JULY 14, 1997.

cc: Madeline J. Mason Deputy County Attorney Andrew R.
Macdonald Assistant County Attorney P.O. Box 471 Boulder,
CO 80306 Thomas B. Kelley Steven D. Zansberg FAEORE &
BENSEN, LLP 2500 Republic Plaza 370 Seventeenth Street
Denver, CO 80202-4004

A. Bruce Jones HOLLAND & HART, LLP 555
Seventeenth St., Suite 3200
P.O. Box 8749 Denver, CO 80201-8000

Honorable Carol Glowinsky Boulder County District Court
P.O. Box 4249 Boulder, CO 80308-4249

Clerk of the District Court Boulder County District Court P.O.
Box 4249 Boulder, CO 80308-4249

Patrick H. Stanford, Clerk Colorado Court of Appeals

AUTOPSY REPORT
NAME: RAMSEY, JONBENET AUTOPSY NO. 96A-155
DOB: 08/06/90
DEATH D/T: 12/26/96 @ 1323 AGE: 6Y AUTOPSY D/T:
12/27/96 @ 0815
SEX: F ID NO: 137712 PATH MD: MEYER COR/MEDREC#

John Ramsey: "It wasn't that was not the priority. The priority was my child was at rest."

2000 March 20 - In Their Own Words - John and Patsy Ramsey Chat Live on ABCNEWS.com

ABCNEWS.com's Buck Wolf: "You say you want to find the real killer. But you declined to exhume your daughter to find out such things as whether a stun gun was used against her. Can you defend that decision, when experts say that there's a good chance they could still test for stun gun marks?"

John Ramsey: "Experts have told us conclusively that a stun gun was used in the murder of our daughter. As her father, who had just painfully laid her to rest, I could not make the decision to disturb her. That is not a decision that a father should be asked to make"

October 4, 2002 8pm DST CBS 48 Hours Investigates - Searching for a Killer

Erin Moriarty: "Wouldn't that have been or the best way to know or coming the closest to knowing is if you could have exhumed the body and line up a stun gun and see if it matches those injuries?"

Lou Smit: "Sure, I believe that would have been the most accurate way to do it."

Erin Moriarty: (Voice Over) "Lou Smit admits that in the months following JonBenet's death investigators considered going to court to have her body exhumed but decided against it."

John Ramsey: "We had buried our child, she was in peace, that was just a horrid thought"

Erin Moriarty: "But John that might have been the one way to know for sure, that could have resolved the whole issue because if a stun gun was used it was not the parents."

John Ramsey: "Certainly and we've got people who told us who know what they are doing that with 95% medical certainty that a stun gun was used. No question."

Erin Moriarty: "But you would have known with a hundred percent with certainty if you had exhumed the body, as tough as that would have been."

John Ramsey: "That's my child you're talking, not a body, it's different."

1714-96-A
TYPE: COR

FINAL DIAGNOSIS:

I. Ligature strangulation
A. Circumferential ligature with associated ligature furrow of neck

B. Abrasions and petechial hemorrhages, neck

C. Petechial hemorrhages, conjunctival surfaces of eyes and skin of face

II. Craniocerebral injuries
A. Scalp contusion

B. Linear, comminuted fracture of right side of skull

C. Linear pattern of contusions of right cerebral hemisphere

D. subarachnoid and subdural hemorrhage

E. Small contusions, tips of temporal lobes

III. Abrasion of right cheek

IV. Abrasion/contusion, posterior right shoulder

V. Abrasions of left lower back and posterior left lower leg

VI. Abrasion and vascular congestion of vaginal mucosa

VII. Ligature of right wrist

Toxicologic Studies

blood ethanol - none detected
blood drug screen - no drugs detected

CLINICOPATHOLOGICAL CORRELATION: Cause of death of this six year old female is asphyxia by strangulation associated with craniocerebral trauma.

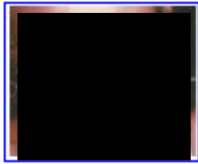
John E. Meyer M.D. Pathologist

jv/12/27/96

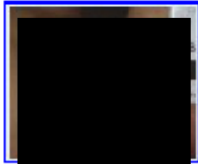
The body of this six year old female was first seen by me after I was called to an address identified as 755 - 15th street in Boulder, Colorado, on 12/26/96. I arrived at the scene approximately 8 PM on 12/26 and entered the house where the decedent's body was located at approximately 8:20 PM.

A brief examination of the body disclosed a ligature around the neck and a ligature around the right wrist. Also noted was a small area of abrasion or contusion below the right ear on the lateral aspect of the right cheek. A prominent dried abrasion was present on the lower left neck. After examining the body, I left the residence at approximately 8:30 PM.

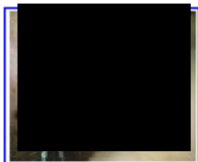
EXTERNAL EVIDENCE OF INJURY: Located just below the right ear at the right angle of the mandible, 1.5 inches below the right external auditory canal is a 3/8 x 1/4 inch area of rust colored abrasion. In the lateral aspect of the left lower eyelid on the inner conjunctival surface is a 1 mm in maximum



From Lou Smit Presentation
Crime Scene Photo
JonBenet Ramsey Neck



From Lou Smit Presentation
Crime Scene Photo
JonBenet Ramsey
Neck Garotte



From Lou Smit Presentation
Crime Scene Photo
JonBenet Ramsey
Right Side of Face



From Lou Smit Presentation
Crime Scene Photo
JonBenet Ramsey
Face at House

2000 March 18 - John and Patsy Ramsey book, "Death of Innocence"

DOI (HB) Page 112:

"Patsy and I could not, would not, and will not ever look at those autopsy photographs."

2000 March 18 - John and Patsy

dimension petechial hemorrhage. Very fine, less than 1 mm petechial hemorrhages are present on the skin of the upper eyelids bilaterally as well as on the lateral left cheek. On everything the left upper eyelid there are much smaller, less than 1 mm petechial hemorrhages located on the conjunctival surface. Possible petechial hemorrhages are also seen on the conjunctival surfaces of the right upper and lower eyelids, but liver mortis on this side of the face makes definite identification difficult.

A deep ligature furrow encircles the entire neck. The width of the furrow varies from one-eighth of an inch to five-sixteenths of an inch and is horizontal in orientation, with little upward deviation. The skin of the anterior neck above and below the ligature furrow contains areas of petechial hemorrhage and abrasion encompassing an area measuring approximately 3 x 2 inches. The ligature furrow crosses the anterior midline of the neck just below the laryngeal prominence, approximately at the level of the cricoid cartilage. It is almost completely horizontal with slight upward deviation from the horizontal towards the back of the neck. The midline of the furrow mark on the anterior neck is 8 inches below the top of the head. The midline of the furrow mark on the posterior neck is 6.75 inches below the top of the head.

The area of abrasion and petechial hemorrhage of the skin of the anterior neck includes on the lower left neck, just to the left of the midline, a roughly triangular, parchment-like rust colored abrasion which measures 1.5 inches in length with a maximum width of 0.75 inches. This roughly triangular shaped abrasion is obliquely oriented with the apex superior and lateral. The remainder of the abrasions and petechial hemorrhages of the skin above and below the anterior projection of the ligature furrow are nonpatterned, purple to rust colored, and present in the midline, right, and left areas of the anterior neck. The skin just above the ligature furrow along the right side of the neck contains petechial hemorrhage composed of multiple confluent very small petechial hemorrhages as well as several larger petechial hemorrhages measuring up to one-sixteenth and one-eighth of an inch in maximum dimension. Similar smaller petechial hemorrhages are present on the skin below the ligature furrow on the left lateral aspect of the neck. Located on the right side of the chin is a three-sixteenths by one-eighth of an inch area of superficial abrasion. On the posterior aspect of the right shoulder is a poorly demarcated, very superficial focus of abrasion/contusion which is pale purple in color and measures up to three-quarters by one-half inch in maximum dimension. Several linear aggregates of petechial hemorrhages are present in the anterior left shoulder just above deltopectoral groove. These measure up to one inch in length by one-sixteenth to one-eighth of an inch in width. On the left lateral aspect of the lower back, approximately sixteen and one-quarter inches and seventeen and one-half inches below the level of the top of the head are two dried rust colored to slightly purple abrasions. The more superior of the two measures one-eighth by one-sixteenth of an inch and the more inferior measures three-sixteenths by one-eighth of an inch. There is no surrounding contusion identified. On the posterior aspect of the left lower leg, almost in the midline, approximately 4 inches above the level of the heel are two small scratch-like abrasions which are dried and rust colored. They measure one-sixteenth by less than one-sixteenth of an inch and one-eighth by less than one-sixteenth of an inch respectively.

Ramsey book, "Death of Innocence"

DOI (HB) Page 193-194:

"Early in July Patsy had to return to Boulder with me to meet with the DA's investigator, Lou Smit. He had contacted our attorney and requested a meeting. We went to Mike Bynum's office for the private meeting, which was attended by Smit, Detective Tom Wickman, Bryan Morgan, and ourselves. Lou looked thoughtful as he carefully considered what he would tell us. "Is it possible for us to talk with complete confidentiality? Lou began.

"Of course," I answered. "You can feel free to ask Patsy and me anything you wish. What you say stays in this room."

Lou nodded his head. "I need to be able to know that this important information is kept in a limited circle," he began. "When we find the killer or killers, it's important that certain facts be known only to us and the killer. That's how we will know we've got our man."

"Absolutely. We understand completely," Patsy confirmed.

Lou went on. "Do you know what a **stun gun** is?"

"A **stun gun**?" I frowned.

"You understand what I'm talking about?" Lou asked.

"Sort of," I said. "I only know about **stun guns** in general. I believe it's an electrical device. I don't have any idea what one looks like."

"Do you know anyone who owns a **stun gun**?" Smit pushed.

We thought for several moments and had to respond that, **no we did not**.

Smit nodded his head. "I'm going to ask you not to discuss this matter with anyone, but I think a **stun gun** was involved in what happened to your daughter."

I stared at him, speechless.

"Please keep this completely in this room," Smit continued. "Think about it, and if any other thoughts come to mind, please let me know."

2000 March 18 - John and Patsy Ramsey book, "Death of Innocence"

DOI (HB) Page 195:

Later in July I learned that **stun guns** could be bought at **spy shops**. I remember that Patsy and I

On the anterior aspect of the perineum, along the edges of closure of the labia majora, is a small amount of dried blood. A similar small amount of dried and semifluid blood is present on the skin of the fourchette and in the vestibule. Inside the vestibule of the vagina and along the distal vaginal wall is reddish hyperemia. This hyperemia is circumferential and perhaps more noticeable on the right side and posteriorly. The hyperemia also appears to extend just inside the vaginal orifice. A 1 cm red-purple area of abrasion is located on the right posterolateral area of the 1 x 1 cm hymeneal orifice. The hymen itself is represented by a rim of mucosal tissue extending clockwise between the 2 and 10:00 positions. The area of abrasion is present at approximately the 7:00 position and appears to involve the hymen and distal right lateral vaginal wall and possibly the area anterior to the hymen. On the right labia majora is a very faint area of violent discoloration measuring approximately one inch by three-eighths of an inch. Incision into the underlying subcutaneous tissue discloses no hemorrhage. A minimal amount of semiliquid thin watery red fluid is present in the vaginal vault. No recent or remote anal or other perineal trauma is identified.

REMAINDER OF EXTERNAL EXAMINATION: The unembalmed, well developed and well nourished Caucasian female body measures 47 inches in length and weighs an estimated 45 pounds.

No scalp trauma is identified. The external auditory canals are patent and free of blood. The eyes are green and the pupils equally dilated. The sclerae are white. The nostrils are both patent and contain a small amount of tan mucous material. The teeth are native and in good repair. The tongue is smooth, pink-tan and granular. No buccal mucosal trauma is seen. The frenulum is intact. There is slight drying artifact of the tip of the tongue. On the right cheek is a pattern of dried saliva and mucous material which does not appear to be hemorrhagic. The neck contains no palpable adenopathy or masses and the trachea and larynx are midline. The chest is symmetrical. Breasts are prepubescent. The abdomen is flat and contains no scars. No palpable organomegaly or masses are identified. The external genitalia are that of a prepubescent female. No pubic hair is present. The anus is patent. Examination of the extremities is unremarkable.

The fingernails of both hands are of sufficient length for clipping. Examination of the back is unremarkable. There is dorsal 3+ to 4+ livor mortis which is nonblanching. Livor mortis is also present on the right side of the face. At the time of the initiation of the autopsy there is mild 1 to 2+ rigor mortis of the elbows and shoulders with more advanced 2 to 3+ rigor mortis of the joints of the lower extremities.

INTERNAL EXAM: The anterior chest musculature is well developed. No sternal or rib fractures are identified.

Mediastinum: The mediastinal contents are normally distributed. The 21 gm thymus gland has a normal external appearance. The cut sections are finely lobular and pink-tan. No petechial hemorrhages are seen. The aorta and remainder of the mediastinal structures are unremarkable.

Body Cavities: The right and left thoracic cavities contain approximately 5 cc of straw colored fluid. The pleural

had attended a Super Bowl game in Miami in 1994 as guest of Sun Microsystems. On Saturday morning we had gone out for a walk in the small village of Coral Gables with no other intentions than doing a little window shopping, and happen to pass by a "spy" shop that sold good for security and monitoring.

Several times in the past I had wondered if a competitor might tap our telephones at the office and get sensitive information that could be used against us in business. (Not that our competitors would do that, but I didn't now that they wouldn't, either) This particular shop in Coral Gables carried hidden cameras, bugging equipment, security devices, and everything under the sun that a person concerned with security might want. I learned that it was not easy to detect a phone tap on a complex phone system, such as the one we had at Access. I also got a sales pitch on some of the other things they had to sell.

As we left, the clerk gave me a videotape catalog to take home. When I returned to Boulder, I threw it into a drawer and completely forgot about the tape. I surmise that as the police went through everything in our house, they found the video catalog, which apparently turned out to have an advertisement for....you got it....stun guns! Not too long after that the police reported to the media that they had found a stun gun "instructional video" in the Ramsey house. So on the one hand they were supporting the stun gun theory, but on the other hand they were not indirectly saying that I had used this weapon on my daughter. Of course, for a period of time the video created a significant uproar and cast further suspicion on me.

Later we got a copy of the video catalog from the store in Coral Gables, and found it was recorded in Spanish! Not only had I never reviewed the tape; if I had I wouldn't have understood it."

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FYI: The year John and Patsy went to the Super Bowl in Miami had to be in 1995 and not 1994 as stated in their book, "Death of Innocence," because the Super Bowl that took place in Miami, Florida was at the end of January 1995.

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surfaces are smooth and glistening. The pericardial sac contains 3-4 cc of straw colored fluid and the epicardium and pericardium are unremarkable. The abdominal contents are normally distributed and covered by a smooth glistening serosa. No intra-abdominal accumulation of fluid or blood is seen.

Lungs: The 200 gm right lung and 175 gm left lung have a normal lobar configuration. An occasional scattered subpleural petechial hemorrhage is seen on the surface of each lung. The cut sections of the lungs disclose an intact alveolar architecture with a small amount of watery fluid exuding from the cut surfaces with mild pressure. The intrapulmonary bronchi and vasculature are unremarkable. No evidence of consolidation is seen.

Heart: The 100 gm heart has a normal external configuration. There are scattered subepicardial petechial hemorrhages over the anterior surface of the heart. The coronary arteries are normal in their distribution and contain no evidence of atherosclerosis. The tan-pink myocardium is homogeneous and contains no areas of fibrosis or infarction. The endocardium is unremarkable. The valve cusps are thin, delicate and pliable and contain no vegetation or thrombus. The major vessels enter and leave the heart in the normal fashion. The foramen ovale is closed.

Aorta and Vena Cava: The aorta is patent throughout its course as are its major branches. No atherosclerosis is seen. The Vena Cava is unremarkable.

Spleen: The 61 gm spleen has a finely wrinkled purple capsule. Cut sections are homogeneous and disclose readily identifiable red and white pulp. No intrinsic abnormalities are identified.

Adrenals: The adrenal glands are of normal size and shape. A golden yellow cortex surmounts a thin brown-tan medullary area. No intrinsic abnormalities are identified.

Kidneys: The 40 gm right kidney and 40 gm left kidney have a normal external appearance. The surfaces are smooth and glistening. Cut sections disclose an intact corticomedullary architecture. The renal papillae are sharply demarcated. The pelvocaliceal system is lined by gray-white mucosa which is unremarkable. Both ureters are patent throughout their course to the bladder.

Liver: The 625 gm liver has a normal external appearance. The capsule is smooth and glistening. Cut sections disclose an intact lobular architecture with no intrinsic abnormalities identified.

Pancreas: The pancreas is of normal size and shape. Cut sections are finely lobular and tan. No intrinsic abnormalities are identified.

Bladder: The bladder is contracted and contains no urine. The bladder mucosa is smooth and tan-gray. No intrinsic abnormalities are seen.

Genitalia: The upper portions of the vaginal vault contain no abnormalities. The prepubescent uterus measures 3 x 1 x 0.8 cm and is unremarkable. The cervix contains no abnormalities. Both fallopian tubes and ovaries are

CBS 48Hours 10-04-2002

Detective Lou Smit

Dr. Michael Dobersen - Arapahoe Co. Coroner

Stun Gun Theory

Screen capture by ACandyRose

October 4, 2002 8pm DST CBS 48 Hours Investigates - Searching for a Killer

Erin Moriarty: (Voice Over) "But more than any other evidence, Smit believes these small marks left on JonBenet's face and back prove an intruder killed her."

Lou Smit: "The killer had a stun gun. I am sure the killer had a stun gun."

Erin Moriarty: (Voice Over) "A stun gun, an electrical weapon, which was used to incapacitate the little girl in order to move her to the basement. Smit believes only an intruder would need to use one."

Lou Smit: "There is no reason at all for the parents to have used a stun gun to help stage the murder of their daughter."

Erin Moriarty: "Was there any indication that the Ramsey's ever owned a stun gun?"

Lou Smit: "There was nothing to indicate that the Ramsey's ever owned a stun gun"

Erin Moriarty: (Voice Over) "What is significant about these injuries, says Smit is that those on the child's face and those on her back appear to be an equal distant apart".

Lou Smit: "They are approximately 3.5 centimeters"

Erin Moriarty: (Voice Over) "Much like the prongs of this stun gun"

Lou Smit: "And they are 3.5 centimeters apart."

Dr. Michael Dobersen: "And if I push this... You can see the electricity arching"

Erin Moriarty: (Voice Over) "The coroner for neighboring Arapahoe County, also believes the marks on JonBenet were left by a stun gun."

Dr. Michael Dobersen: "What we have to do is match up the injuries with the weapon."

Erin Moriarty: (Voice Over) "And to prove it, he used one on the skin of an anesthetized pig."

Erin Moriarty: "What am I seeing on the left?"

Lou Smit: "What you are seeing on the left, is you're seeing the actual injury on the back of JonBenet, the marks are similar in size and

prepubescent and unremarkable by gross examination.

Gallbladder: The gallbladder contains 2-3 cc of amber bile. No stones are identified and the mucosa is smooth and velvety. The cystic duct, right and left hepatic duct and common bile duct are patent throughout their course to the duodenum.

G.I. Tract: The esophagus is empty. It is lined by gray-white mucosa. The stomach contains a small amount (8-10 cc) of viscous to green to tan colored thick mucous material without particulate matter identified. The gastric mucosa is autolyzed but contains no areas of hemorrhage or ulceration. The proximal portion of the small intestine contains fragmented pieces of yellow to light green-tan apparent vegetable or fruit material which may represent fragments of pineapple. No hemorrhage is identified. The remainder of the small intestine is unremarkable. The large intestine contains soft green fecal material. The appendix is present.

Lymphatic System: Unremarkable.

Musculoskeletal System: Unremarkable.

Skull and Brain: Upon reflection of the scalp there is found to be an extensive area of scalp hemorrhage along the right temporoparietal area extending from the orbital ridge, posteriorly all the way to the occipital area. This encompasses an area measuring approximately 7 x 4 inches. This grossly appears to be fresh hemorrhage with no evidence of organization. At the superior extension of this area of hemorrhage is a linear to comminuted skull fracture which extends from the right occipital to posteroparietal area forward to the right frontal area across the parietal portion of the skull. The posteroparietal area of this fracture is a roughly rectangular shaped displaced fragment of skull measuring one and three-quarters by one-half inch. The hemorrhage and the fracture extend posteriorly just past the midline of the occipital area of the skull. This fracture measures approximately 8.5 inches in length. On removal of the skull cap there is found to be a thin film of subdural hemorrhage measuring approximately 7-8 cc over the surface of the right cerebral hemisphere and extending to the base of the cerebral hemisphere. The 1450 gm brain has a normal overall architecture. Mild narrowing of the sulci and flattening of the gyri are seen. No inflammation is identified. There is a thin film of subarachnoid hemorrhage overlying the entire right cerebral hemisphere. On the right cerebral hemisphere underlying the previously mentioned linear skull fracture is an extensive linear area of purple contusion extending from the right frontal area, posteriorly along the lateral aspect of the parietal region and into the occipital area. This area of contusion measures 8 inches in length with a width of up to 1.75 inches. At the tip of the right temporal lobe is a one-quarter by one quarter inch similar appearing purple contusion. Only very minimal contusion is present at the tip of the left temporal lobe. This area of contusion measures only one-half inch in maximum dimension. The cerebral vasculature contains no evidence of atherosclerosis. Multiple coronal sections of the cerebral hemispheres, brain stem and cerebellum disclose no additional abnormalities. The areas of previously described contusion are characterized by purple linear streak-like discolorations of the gray matter perpendicular to the surface of the cerebral cortex. These extend approximately 6 mm into the cerebral cortex.

shape and color and they are a certain distant apart. And the pig too, you see marks that were left on the skin of the pig."

Erin Moriarty: (Voice Over) "While there are some differences, both Dobersen and Smit believe the experiment confirms a stun gun was used."

Dr. Michael Dobersen: "If it's not a stun gun I would like to know what it is."



From Lou Smit Presentation
Crime Scene Photo
JonBenet Ramsey
Marks on Back

2000 March 18 - John and Patsy Ramsey book, "Death of Innocence"

DOI (HB) Page 194:

"We also learned why Smit had asked us these questions. Back in April 11, Lou Smit, Trip DeMuth, and Steve Ainsworth had gone to John Meyer, the Boulder county coroner, with a single question. "could the marks on JonBenet's body have come from a stun gun?" The investigators felt they had discovered a significant clue, and Meyer evidently agreed that the small red marks he observed on JonBenet's body could have come from such a weapon."

"Following this conversation, Smit had spoken to Peter Mang and Sue Kitchen of the Colorado Bureau of Investigation about a stun gun causing the same marks. Could a stun gun leave the red welts found on our daughter? Both Mang and Kitchen believed it was possible. In turn, they suggested that Lou pursue the issue with Arapahoe County Coroner Mike Dobersen. In the past, Dobersen had dealt with a crime involving a stun gun. His experience was first-hand and practical, and he should be able to offer some insight."

"During Lou's talk with Dobersen, the autopsy photos were studied from every possible angle. After a careful examination, Dr. Dobersen believed that the marks in the pictures did appear to have come from a stun gun. However, Dobersen wasn't ready to make a definite public statement unless the body was exhumed. Because the exhumation didn't occur, Smit couldn't obtain the conclusive statement he was

Examination of the base of the brain discloses no additional fractures.

Neck: Dissection of the neck is performed after removal of the thoracoabdominal organs and the brain. The anterior strap musculature of the neck is serially dissected. Multiple sections of the sternocleidomastoid muscle disclose no hemorrhages. Sections of the remainder of the strap musculature of the neck disclose no evidence of hemorrhage. Examination of the thyroid cartilage, cricoid cartilage and hyoid bone disclose not evidence of fracture of hemorrhage. Multiple cross sections of the tongue disclose no hemorrhage or traumatic injury. The thyroid gland weights 2 gm and is normal in appearance. Cut sections are finely lobular and red-tan. The trachea and larynx are lined by smooth pink-tan mucosa without intrinsic abnormalities.

MICROSCOPIC DESCRIPTION: (All Sections Stained with H&E)

(Slide Key) - (A) - scalp hemorrhage, (B) - sections of vaginal mucosa with smallest fragment representing area of abrasion of 7:00 position, (C) - heart, (D-F) - lungs, (G) - liver and spleen, (H) - pancreas and kidney, (I) - thyroid and bladder, (J) - thymus and adrenals, (K-L) - reproductive organs, (M) - larynx, (N-T) - brain.

Myocardium: Sections of the ventricular myocardium are composed of interlacing bundles of cardiac muscle fibers. No fibrosis or inflammation are identified.

Lungs: The alveolar architecture of the lungs is well preserved. Pulmonary vascular congestion is identified. No intrinsic abnormalities are seen.

Spleen: There is mild autolysis of the spleen. Both red and white pulp are identifiable.

Thyroid: The thyroid gland is composed of normal-appearing follicles. An occasional isolated area of chronic interstitial inflammatory infiltrate is seen. There is also a small fragment of parathyroid tissue.

Thymus: The thymus gland retains the usual architecture. The lymphoid material is intact and scattered Hassall's corpuscles are identified. Mild vascular congestion is identified.

Trachea: There is mild chronic inflammation in the submucosa of the trachea.

Liver: The lobular architecture of the liver is well preserved. No inflammation or intrinsic abnormality are identified.

Pancreas: There is autolysis of the pancreas which is otherwise unremarkable.

Kidney: The overall architecture of the kidney is well preserved. There is perhaps mild vascular congestion in the cortex but no inflammation is identified.

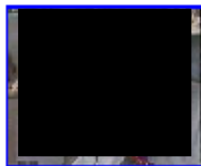
Bladder: The transitional epithelium of the bladder is autolyzed. No significant intrinsic abnormalities are seen.

Reproductive Organs: Sections of the uterus are consistent

seeking."



From Lou Smit Presentation
Crime Scene Photo
JonBenet Rams ey
Marks on Face



CBS 48Hours 10-04-2002
Dr. Warner Spitz, Pathologist
Says No Stun Gun
Screen capture by ACandyRose

October 4, 2002 8pm DST CBS 48 Hours
Investigates - Searching for a Killer

Erin Moriarty: (Voice Over) "Three other
pathologists agreed but the Boulder Police are
relying instead on this man's opinion."

Erin Moriarty: "How sure are you that it's not a
stun gun?"

Dr. Werner Spitz: "Well I'm a hundred percent
sure because stun gun injuries don't look that
way."

Erin Moriarty: (Voice Over) "Dr. Werner Spitz, a
nationally known pathologist who has worked on
major cases including the assassination of J.F.
Kennedy."

Erin Moriarty: "This was now on her and this was
done on a pig skin."

Dr. Werner Spitz: "Are you telling me that this
looks to you like the other one, the one that
JonBenet has? They don't look like that to me at
all. A stun gun injury is an electrical burn, it's a
burn essentially. And these don't look like burns."

Erin Moriarty: (Voice Over) "Instead, Spitz
believes the large dark mark on JonBenet's face
was left by a snap on a piece of clothing"

Dr. Werner Spitz: "You know like the snaps they

with the prepubescent age. The ovary is unremarkable.

Adrenal: The architecture of the adrenal is well preserved and
no intrinsic abnormalities are seen.

Brain: Sections of the areas of contusion disclose disrupted
blood vessels of the cortex with surrounding hemorrhage.
There is no evidence of inflammatory infiltrate or organization
of the hemorrhage. Subarachnoid hemorrhage is also
identified. Cortical neurons are surrounded by clear halos, as
are glial cells.

Vaginal Mucosa: All of the sections contain vascular
congestion and focal interstitial chronic inflammation. the
smallest piece of tissue, from the 7:00 position of the vaginal
wall/hymen, contain epithelial erosion with underlying
capillary congestion. A small number of red blood cells is
present on the eroded surface, as is birefringent foreign
material. Acute inflammatory infiltrate is not seen.

EVIDENCE: Items turned over to the Boulder Police
Department as evidence include: Fibers and hair from
clothing and body surfaces; ligatures; clothing; vaginal swabs
and smears; rectal swabs and smears; oral swabs and
smears; paper bags from hands, fingernail clippings, jewelry,
paper bags from feet; white body bag; sample of head hair,
eyelashes and eyebrows; swabs from right and left thighs and
right cheek; red top and purple top tubes of blood.

END OF REPORT

NEWLY RELEASED PORTIONS
AUTOPSY REPORT

Page 1

FINAL DIAGNOSIS:

- I. Ligature strangulation
- A. Circumferential ligature with associated ligature furrow of
neck
- II. Craniocerebral injuries
- B. Linear, comminuted fracture of right side of skull
- C. Linear pattern of contusions of right cerebral hemisphere
- D. subarachnoid and subdural hemorrhage

Page 2

The body of this six year old female was first seen by me
after I was called to an address identified as 755 - 15th street
in Boulder, Colorado, on 12/26/96. I arrived at the scene
approximately 8 PM on 12/26 and entered the house where
the decedent's body was located at approximately 8:20 PM.

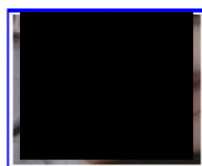
A brief examination of the body disclosed a ligature around
the neck and a ligature around the right wrist. Also noted was
a small area of abrasion or contusion below the right ear on
the lateral aspect of the right cheek. A prominent dried
abrasion was present on the lower left neck. After examining
the body, I left the residence at approximately 8:30 PM.

Page 5

A deep ligature furrow encircles the entire neck. The width of

have on blue jeans for instance. If you look at this one below the ear, this thing here. If you look at it closely with a magnify glass you will see within this brownish mark is a boat shaped structure which is missing with any of the other injuries."

Erin Moriarty: (Voice Over) "Unfortunately with only photographs to go by no expert, not Dr. Spitz and not Dr. Dobersen can be one hundred percent sure."

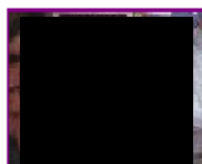


From Lou Smit Presentation
Crime Scene Photo
JonBenet Ramsey
Heart drawn on hand

04-18-2000 Steve Thomas, "JonBenet, Inside the Ramsey Murder Investigation"

Page 42:

"A heart was drawn in red ink on the palm of the victim's left hand, she wore a gold ring on her right middle finger, and a gold bracelet was on her wrist. It was a gift from her Aunt Pam, engraved "JonBenet 12-25-96."



Tabloid Photo
Crime Scene Photo
JonBenet Ramsey
RIGHT Hand

04-18-2000 Steve Thomas, "JonBenet, Inside the Ramsey Murder Investigation"

Page 41:

"It was the morning of December 27. The little body was first removed from a locked yellow outer covering, then from an inner black bag. The paper sacks were removed from the hands and feet, and Meyer began describing his findings."

The victim weighted forty-five pounds, was three

the furrow varies from one-eighth of an inch to five-sixteenths of an inch and is horizontal in orientation, with little upward deviation. The skin of the anterior neck above and below the ligature furrow contains areas of petechial hemorrhage and abrasion encompassing an area measuring approximately 3 x 2 inches. The ligature furrow crosses the anterior midline of the neck just below the laryngeal prominence, approximately at the level of the cricoid cartilage. It is almost completely horizontal with slight upward deviation from the horizontal towards the back of the neck. The midline of the furrow mark on the anterior neck is 8 inches below the top of the head. The midline of the furrow mark on the posterior neck is 6.75 inches below the top of the head.

The area of abrasion and petechial hemorrhage of the skin of the anterior neck includes on the lower left neck, just to the left of the midline, a roughly triangular, parchment-like rust colored abrasion which measures 1.5 inches in length with a maximum width of 0.75 inches. This roughly triangular shaped abrasion is obliquely oriented with the apex superior and lateral. The remainder of the abrasions and petechial hemorrhages of the skin above and below the anterior projection of the ligature furrow are nonpatterned, purple to rust colored, and present in the midline, right, and left areas of the anterior neck. The skin just above the ligature furrow along the right side of the neck contains petechial hemorrhage composed of multiple confluent very small petechial hemorrhages as well as several larger petechial hemorrhages measuring up to one-sixteenth and one-eighth of an inch in maximum dimension. Similar smaller petechial hemorrhages are present on the skin below the ligature furrow on the left lateral aspect of the neck. Located on the right side of the chin is a three-sixteenths by one-eighth of an inch area of superficial abrasion. On the posterior aspect of the right shoulder is a poorly demarcated, very superficial focus of abrasion/contusion which is pale purple in color and measures up to three-quarters by one-half inch in maximum dimension. Several linear aggregates of petechial hemorrhages are present in the anterior left shoulder just above deltopectoral groove. These measure up to one inch in length by one-sixteenth to one-eighth of an inch in width. On the left lateral aspect of the lower back, approximately sixteen and one-quarter inches and seventeen and one-half inches below the level of the top of the head are two dried rust colored to slightly purple abrasions. The more superior of the two measures one-eighth by one-sixteenth of an inch and the more inferior measures three-sixteenths by one-eighth of an inch. There is no surrounding contusion identified. On the posterior aspect of the left lower leg, almost in the midline, approximately 4 inches above the level of the heel are two small scratch-like abrasions which are dried and rust colored. They measure one-sixteenth by less than one-sixteenth of an inch and one-eighth by less than one-sixteenth of an inch respectively.

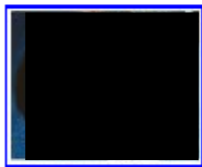
On the anterior aspect of the perineum, along the edges of closure of the labia majora, is a small amount of dried blood. A similar small amount of dried and semifluid blood is present on the skin of the fourchette and in the vestibule. Inside the vestibule of the vagina and along the distal vaginal wall is reddish hyperemia. This hyperemia is circumferential and perhaps more noticeable on the right side and posteriorly. The hyperemia also appears to extend just inside the vaginal orifice. A 1 cm red-purple area of abrasion is located on the right posterolateral area of the 1 x 1 cm hymeneal orifice. The

feet, eleven inches tall, and had green eyes , and some green garland was caught in her blond hair. A single loop of white cord was around the right wrist, tied on top of the sleeve but so loosely the doctor easily slid it free. There were 15- 1/2 inches between that loop and a loop on the other end, which once apparently had bound the left wrist. A white cord of the same type was wrapped so tightly around the throat and neck that a deep horizontal furrow had been dug into the skin. A gold chain and cross were tangled in that ligature, which was tied behind the neck to a broken stick. Blond hair was snared in the knot, and the coroner had to cut the hair in order to remove the cord, which was tied more like a noose than a twisting garrote. The broken paintbrush used as a the garrote handle had Korea printed on it."

"When Meyer clipped the nails of each finger, no blood or tissue was found that would indicate a struggle. He used the same clippers for all the fingers, although doing so created an issue of cross-contamination. For optimal DNA purposes, separate and sterile clippers should have been used for each finger. Furthermore, we later learned that the coroner's office sometimes used the same clippers on different autopsy subjects."



Tabloid Photo
Crime Scene Photo
JonBenet Ramsey
RIGHT Hand with ring



From Lou Smit Presentation
Crime Scene Photo
JonBenet Ramsey
Skull

hymen itself is represented by a rim of mucosal tissue extending clockwise between the 2 and 10:00 positions. The area of abrasion is present at approximately the 7:00 position and appears to involve the hymen and distal right lateral vaginal wall and possibly the area anterior to the hymen. On the right labia majora is a very faint area of violent discoloration measuring approximately one inch by three-eighths of an inch. Incision into the underlying subcutaneous tissue discloses no hemorrhage. A minimal amount of semiliquid thin watery red fluid is present in the vaginal vault. No recent or remote anal or other perineal trauma is identified.

REMAINDER OF EXTERNAL EXAMINATION: The unembalmed, well developed and well nourished Caucasian female body measures 47 inches in length and weights n estimated 45 pounds.

No scalp trauma is identified. The external auditory canals are patent and free of blood. The eyes are green and the pupils equally dilated. The sclerae are white. The nostrils are both patent and contain a small amount of tan mucous material. The teeth are native and in good repair. The tongue is smooth, pink-tan and granular. No buccal mucosal trauma is seen. The frenulum is intact. There is slight drying artifact of the tip of the tongue. On the right cheek is a pattern of dried saliva and mucous material which does not appear to be hemorrhagic. The neck contains no palpable adenopathy or masses and the trachea and larynx are midline. The chest is symmetrical. Breasts are prepubescent. The abdomen is flat and contains no scars. No palpable organomegaly or masses are identified. The external genitalia are that of a prepubescent female. No pubic hair is present. The anus is patent. Examination of the extremities is unremarkable.

The fingernails of both hands are of sufficient length for clipping. Examination of the back is unremarkable. There is dorsal 3+ to 4+ livor mortis which is nonblanching. Livor mortis is also present on the right side of the face. At the time of the initiation of the autopsy there is mild 1 to 2+ rigor mortis of the elbows and shoulders with more advanced 2 to 3+ rigor mortis of the joints of the lower extremities.

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Skull and Brain: Upon reflection of the scalp there is found to be an extensive area of scalp hemorrhage along the right temporoparietal area extending from the orbital ridge, posteriorly all the way to the occipital area. This encompasses an area measuring approximately 7 x 4 inches. This grossly appears to be fresh hemorrhage with no evidence of organization. At the superior extension of this area of hemorrhage is a linear to comminuted skull fracture which extends from the right occipital to posteroparietal area forward to the right frontal area across the parietal portion of the skull. the posteroparietal area of this fracture is a roughly rectangular shaped displaced fragment of skull measuring one and three-quarters by one-half inch. The hemorrhage and the fracture extend posteriorly just past the midline of the occipital area of the skull. This fracture measures approximately 8.5 inches in length. On removal of the skull cap there is found to be a thin film of subdural hemorrhage measuring approximately 7-8 cc over the surface of the right cerebral hemisphere and extending to the base of the cerebral hemisphere. The 1450 gm brain has a normal overall



JonBenet Ramsey Skull

04-18-2000 Steve Thomas, "JonBenet, Inside the Ramsey Murder Investigation"

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"Meyer concluded that JonBenet was alive at the time her head was struck and was still alive when she was choked. Either attack would have been fatal, but he officially called it asphyxia due to strangulation associated with massive head trauma. He could not establish a time of death.



architecture. Mild narrowing of the sulci and flattening of the gyri are seen. No inflammation is identified. There is a thin film of subarachnoid hemorrhage overlying the entire right cerebral hemisphere. On the right cerebral hemisphere underlying the previously mentioned linear skull fracture is an extensive linear area of purple contusion extending from the right frontal area, posteriorly along the lateral aspect of the parietal region and into the occipital area. This area of contusion measures 8 inches in length with a width of up to 1.75 inches. At the tip of the right temporal lobe is a one-quarter by one quarter inch similar appearing purple contusion. Only very minimal contusion is present at the tip of the left temporal lobe. This area of contusion measures only one-half inch in maximum dimension. The cerebral vasculature contains no evidence of atherosclerosis. Multiple coronal sections of the cerebral hemispheres, brain stem and cerebellum disclose no additional abnormalities. The areas of previously described contusion are characterized by purple linear streak-like discolorations of the gray matter perpendicular to the surface of the cerebral cortex. These extend approximately 6 mm into the cerebral cortex. Examination of the base of the brain discloses no additional fractures.

End of Report